

# HOUSE OF REPRESENTATIVES—Tuesday, October 12, 1993

The House met at 12 noon and was called to order by the Speaker pro tempore [Mr. MONTGOMERY].

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
October 12, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

## PRAYER

Rabbi Wayne Dosick, Congregation Elijah Minyan, LaCosta, CA, offered the following prayer:

Elohanu Va'lohay Avotanu.

God of our ancestors; God the generations; Our God, and God of eternity; God of everything and every one:

We come before You on this day, acknowledging and respecting our diversity, celebrating and rejoicing in our unity, for we are all Your children.

We praise You and we thank You for all the many blessings with which You shower us day by day.

And we humbly ask You, in the words of the ancient prayer:

Barchanu Aveinu kulanu c'echad b'or panacha.

"Bless us, O God, all of us together, with the light of Your presence."

Let us encounter You, so that we may be bathed in Your divine light, so that we may reflect the holy sparks of Your divine being.

Give us a full measure of Your wisdom and Your strength, Your justice and Your compassion, Your kindness and Your goodness, so that all that we do is filled with Your spirit.

Bless, O God, the men and women who come to this hallowed House.

Let them hear the voice of Your ancient prophets calling to them, so that where there is pain, they will offer healing, where there is anguish, they will give comfort, where there is despair, they will bring hope.

Enflame their souls, and ours, O God, with sacred passion, and guide each one of us to a life of meaning and worth, of caring and sharing, of decency and dignity; a life of doing what is right and what is good.

Bless us with joy and with love, and bless us—and Your whole world with us—with Your greatest gift, Your gift of everlasting and enduring peace.

And let us all say: Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair requests the gentlewoman from Connecticut [Mrs. KENNELLY] to lead the House in the Pledge of Allegiance.

Mrs. KENNELLY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## RABBI WAYNE DOSICK

(Mr. BEILENSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEILENSEN. Mr. Speaker, on behalf of my good friend, the gentlewoman from California [Ms. SCHENK], who was unable to be here this morning, I would like to welcome Rabbi Wayne Dosick, Ms. SCHENK's rabbi, who just gave us that beautiful morning prayer.

Rabbi Dosick joins us from San Diego, CA, where he served synagogue pulpits now for 18 years.

Rabbi Dosick is a spiritual and community leader in San Diego as well as an academician and writer. He recently wrote a new and original work, "The Business Bible: Ten New Commandments for Creating an Ethical Workplace." Rabbi Dosick's basic message, to quote from his treating of his 10th commandment, "Know before whom you stand," is that, "We live our lives not alone, not in a vacuum, not without consequence. We stand before something higher than each of us."

I believe we can all learn from this lesson both in our professional lives and in our personal lives.

Congresswoman SCHENK values Rabbi Dosick not only as a close personal friend but as a spiritual guide who has been an invaluable source of inspiration and support. We are delighted to have him here with us today at the Nation's Capitol.

## WE SHOULD RETHINK OUR POLICY IN SOMALIA AND IN HAITI

(Mr. HYDE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I fear this administration is beginning to use our troops as members of the Peace Corps, with guns, sending them to various parts of the world to do various tasks, all the while saying they are not combat. The debacle of what is happening off the coast of Haiti is but the most recent example.

Last December troops were sent to Somalia to serve a humanitarian mission, to feed the starving people. That mission has been completed, but we are still there. Not only are we there, but the mission has been expanded now into nation-building. As we keep our troops vulnerable to the warlord Aided, we must ask ourselves what is our national interest in this impossible dream of building an emerging democracy out of Somalia, which is run by clans of warlords. The first thing we should do is get our prisoners back, one or more; the next thing we should do is let the nation-building be left to those countries in the region that have cultural, geographic, and political ties to Somalia.

Let us take another look at Haiti.

## CONSTITUENTS SHOW CONCERN ABOUT SOMALIA AND HAITI

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, having been home for the weekend I have had the opportunity to talk to some of my constituents about Somalia and Haiti.

My constituents are wrestling with their feelings about Somalia. Obviously, they were terribly upset by American casualties and furious that backup forces were not prepared to rescue those involved. Yet they were incredibly proud of how the American Rangers stood firm until help finally arrived.

By no means do they hysterically call for our immediate retreat. They understand the new U.S. troops are being sent in to help protect those already there. They all hope for a swift resolution of this situation, although many believe that if the urban guerrilla fighting continues with no real

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

move by Aideed and his forces to resolve this situation peacefully, we should plan an orderly pullout.

With regard to Haiti, at this point I must say most do not have much hope for the Haiti venture. Stability can come only when all parties involved in the dispute at hand want peace. This is not yet the case in Haiti. We would do well to consider this as we plan our next steps.

#### CONGRESS HAD SPOKEN ON THE SITUATION IN SOMALIA

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute.)

Mr. THOMAS of Wyoming. Mr. Speaker, there has been a great deal of debate concerning the lack of Somali policy over the past week or 10 days. This is as it should be. There should be public debate.

The debate, however, should be anchored on accurate information. One area of talk show mythology is that the Congress was asleep and did not speak out as the mission was changed by the United Nations. Not true.

Let me cite to you a couple of positions that were taken: Back on April 1, 1993, this is the Republican policy committee: "U.S. Forces in Somalia have fulfilled the mission. Therefore, President Clinton should bring the troops home."

We said on February 19: "Since the Clinton administration took office, our role in Somalia has apparently changed significantly."

We said just last week: "Republicans reject isolationism; however, we believe the United States should not take on broad peacekeeping role that is dangerously open-ended."

Mr. Speaker, our situation in Somalia is not a lack of ability on the part of the military; it is the victory of procrastination over policy, a failure of policy.

Let us get our act together.

#### VOTING RECORDS OF THE DELEGATES

(Mr. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, the phrase "My dear colleagues," has an ambivalent meaning for delegates who are elected to sit here on behalf of U.S. citizens. There is yet another effort to direct some nastiness at the five delegates who inhabit this institution.

According to Roll Call, some Members from the minority may request a box on the television vote count to separate out the delegate votes from the Representatives' in a further attempt to stigmatize and separate the delegates from the rest of the House.

□ 1210

Why stop at counting the votes separately? Why not ask the delegates to wear a delegate hat, like a dunce cap, so that we can spot them immediately? Why not reserve seats for delegates at the back of the House so that we know where they are located at all times? Why not give us separate water fountains and bathroom facilities, so that we will not contaminate the legislative process?

This list can go on and on in this ridiculous attempt to further humiliate those of us who are only given limited participation in House affairs.

Come on, colleagues, let the courts sort out our status relative to the Committee of the Whole vote and let us get on with real legislative issues.

Mr. Speaker, I am here to represent people, not to confound the constitutional process.

#### VEHICLE FOR CHANGE?

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, the President has said that he wants to reinvent government, because our Government is broken. And I agree we should clean house. I have an even better idea. Why do we not reinvent the Congress?

We have the right vehicle for change: The Joint Committee on the Organization of Congress.

We formed this committee so it would boldly propose real changes to the way this place is run.

Unfortunately, this vehicle is stuck in a traffic jam of Democrat indifference, apathy, opposition, and intransigence.

Let us face it. The Democrat majority is not interested in change. They want the status quo so they can continue to rule the way they have ruled for the last 40 years.

Well, Mr. Speaker, if the Joint Committee on Reform does not come up with some real proposals for change, the American people will be the real losers, and we will never get the real change in Government that they want and deserve.

#### TIME TO LOOK AT OUR OWN WAR ZONE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, America has another mission, a secure environment for Haiti. I think it is appropriate that Haiti have a source environment, but you see, in the words of Marvin Gaye, I must ask, what's going on?

America's greatest threat is not posed in Somalia, Bosnia, or Haiti. I think we had better look at your town and my town. What is going on in the streets of America, and let us check it out.

We have war zones in some of our cities. Our border with Mexico is an absolute joke. Our police departments are outgunned.

If we want to do something about a safe environment, I think it is time if we are going to keep sending GI's overseas, maybe we would not hear, "Yankee go home," if we started to help the people in our cities.

Now, look, everybody here wants to help everybody else. The fact is we are the policemen for the world, but the truth is we are also becoming the neighborhood crime watch.

I say to the Congress, if we are going to become the neighborhood crime watch, let us take a look at your town and my town. Let us help our own country out.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair would like to welcome our guests in the gallery, but you cannot participate in the debate, and you cannot applaud.

#### SOUTH CAROLINA COACH SETS NATIONAL HIGH SCHOOL FOOTBALL RECORD

(Mr. RAVENEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAVENEL. Mr. Speaker, last Friday night, an event of national significance took place in South Carolina.

John McKissick, coach of the Summerville High School green wave football team, was credited with his 406th career win, establishing a new national record. McKissick's recordbreaking 406 came in this, his 42d season, all at Summerville.

In the words of his close friend and statistician, Archie Paris, "John McKissick's tenure has seen sons follow fathers, nephews follow uncles, and cousins gather to keep the dynastic program alive."

McKissick was selected the National High School Coach of the Year in 1980 and saw his stadium named John McKissick Field in 1987. Winning nine State titles, he was inducted into the National High School Hall of Fame in 1990.

John McKissick: A productive and nationally honored son of South Carolina of whom we are all proud.

#### PULL THE PLUG ON TV MARTI

(Mr. SKAGGS asked and was given permission to address the House for 1



minute and to revise and extend his remarks and include extraneous matter.)

Mr. SKAGGS. Mr. Speaker, TV Marti—the United States Government's television broadcasts to Cuba—is a waste of money. We are spending \$60,000 a day to send 2½ hours of programming that no one receives, because the Cuban Government has jammed TV Marti from day one. In today's Washington Times there's an article written by a reporter who just returned from Havana. He searched and searched for a single TV Marti viewer to no avail. He writes, and I quote, "no one could be found who has seen the television program or who knew any one who had."

He did, however, discover that as many as 100,000 Cuban households have primitive microwave receivers that pick up a nice 10-channel cable package. They are watching CNN, HBO, ESPN, Mexican commercial broadcasts, Spanish language stations out of Miami, and the Disney channel. Why would any hard-working Cuban wake up at 3:30 in the morning to watch the static and snow that is TV Marti, when they can tune in to prime-time news reports and the latest box office hits? Why indeed? As one of the people interviewed said: "I have HBO and CNN, why do I need TV Marti?"

A more important question for Congress though, is why have American taxpayers invested \$67 million to date for this futile venture? House and Senate appropriations meet tomorrow to decide TV Marti's fate—the House bill cut funds for TV Marti, but the Senate put all \$12 million back in. It is time to pull the plug on this ineffective cold war relic and score a victory for fiscal sanity.

Mr. Speaker, we are in conference on this tomorrow. TV Marti should have its plug pulled.

Mr. Speaker, I include the following article from the Washington Times of October 12, 1993:

[From the Washington Times, Oct. 12, 1993]  
MARTI'S JAMMED BUT PIRATED CABLE A HIT  
(By Torn Carter)

HAVANA.—Fidel Castro wants Washington to know that U.S. funding for Television Marti is money for nothing.

But even without TV Marti, thousands of viewers in Havana channel-surf past Cuban state television in favor of CNN, HBO, ESPN, Mexican commercial broadcasts, Spanish-language stations out of Miami and the Disney Channel.

As many as 100,000 Cubans in Havana have rigged primitive microwave receivers that pirate a 10-channel cable package that is beamed by satellite to the major tourist hotels in downtown Havana.

"My father, my brother and me love HBO and Disney," said Sandro, 29, a computer programmer who works at a bicycle parking lot in Vedado. "We use it to learn English. I love 'Cops.'"

Radio Marti is listened to throughout the island and is commonly heard on the streets of Havana. By some estimates, as many as 70 percent of Cuba's 10 million people listen to Radio Marti regularly.

TV Marti is another story.

Despite claims from the United States to the contrary, Cuban officials say no one sees it. And as long as it comes in, Cuban jamming technicians will keep TV Marti from the eyes of the Cuban people.

Specifically, Cuban officials want the U.S. Congress, which is currently in the midst of an acrimonious appropriations debate regarding funding for the TV program, to know that almost no one in Cuba can see the program, which is costing U.S. taxpayers an estimated \$60,000 a day.

"If effectiveness is spending money constructively, then [TV Marti] is inefficient," said Leonardo Cano, an analyst from the Central Committee of the Cuban Communist Party who monitors broadcasts from the United States to Cuba. "But if effectiveness is only to provoke our government, then, yes, I agree TV Marti is effective."

Both Cuban and Western diplomats in Havana agree that the 2½-hour daily Spanish-language news and features program, which originates in Washington and is beamed to Cuba from a tethered satellite balloon in the Florida Keys at 3:30 a.m. each morning, is seen by almost no one.

"There are windows when it can be seen for a day or two," said one Western diplomat in Havana. "But generally speaking, it is reaching very few people," he said.

The only place TV Marti is seen regularly is in the waiting room at the U.S. Interests Section in Havana. The show is taped each night and shown on monitors to Cubans waiting to apply for visas to the United States. About 400 Cubans a day are able to see TV Marti that way.

In late August, Rolando Bonachea, the head of TV Marti in Washington, said that his daily broadcasts could be seen west of Havana in Pinar del Rio, Mariel, Candelaria and Bahia Honda, but during two days there last week and dozens of interviews, no one could be found who had seen the television program or who new anyone who had.

There was also a report out of Cojimar, east of Havana, that TV Marti was seen on several days in September.

"We were excited to see TV Marti," said Christian, 24, who is studying to be an English teacher in Pinar del Rio, about a two-hour drive west of Havana. "Prohibited ideas are exciting to college students, and we were hopeful that we could see it here, but it was rejected [jammed]."

Christian who asked that only his first name be used, rattled off a list of U.S. radio stations, including Radio Marti, that he listens to regularly.

"English radio is our influence—we listen to improve our skill—but in this province I have never heard of anyone who has seen TV Marti," he said.

The Cuban television engineer who directed the "development, production, installation and [current] operation" of the jamming of TV Marti estimates that the entire jamming system to keep TV Marti away from Cuban eyes has cost the Cuban government less than \$100,000 in materials. Carlos Martinez, who is one of the top officials in the Cuban equivalent of the FCC, said it costs about "5 to 7 pesos in electricity a day" (\$5 to \$7 on the official exchange but less than a quarter on the street), a figure Western diplomats in Havana call "preposterous."

TV Marti supporters say it costs the Castro government as much as \$1 million a day to jam the broadcasts because at least some of the devices are fixed to helicopters, which deplete Mr. Castro's dangerously low fuel supplies.

Mr. Martinez said he has jamming devices on "land, helicopters and on boats" but called the \$1 million figure "ridiculous."

The jamming process begins in downtown Havana at the Cuban Institute of Radio and Television. On the ninth floor, Carlos Rodriguez, a 22-year-old Communist Party Youth member who wears a scruffy beard and a sleeveless Motley Crue T-shirt, monitors the quality of Cuban radio and television broadcasts.

One television monitor is turned to Channel 13, where TV Marti comes in. One night last week, until 3:30 sharp, the monitor showed only static and snow. Like clockwork, when the TV Marti broadcast began, Mr. Rodriguez turned to a special white telephone hot line and gave the jamming order to a small telecommunications shack on a hill in the Lawton neighborhood of Havana.

Within seconds, the snow and static returned to the monitor.

Using parts stolen from the government or about \$50 worth of electronic equipment brought to Cuba by relatives or friends from the United States, Cuban TV whizzes fashion an illegal metal dish, resembling a garbage-can lid or a wok, and a receiver that can pick up the U.S. commercial signals, such as CNN and Disney.

The Cuban government allows the tourist hotels to broadcast the channels to their guest rooms, and while the private dishes technically are illegal, they are tolerated by the government.

Western diplomats say the government permits the channels only as long as they do not broadcast information damaging to the Cuban government.

Recently, when Cuban refugees washed up on the shores of Mexico and were then returned to Cuba, to be subsequently allowed to come to Miami, there was "dramatic footage" and a lot of unflattering commentary on Cuba on Mexico's Echo channel.

"The next week, Echo was no longer offered in the package," said a Western diplomat in Havana.

In a neighborhood near the Plaza de la Revolucion, a half-dozen dishes poke out of the top of houses. Nobody seems to miss TV Marti.

"I have HBO and CNN. Why do I need TV Marti?" said one homeowner.

## QUESTIONS FOR THE PRESIDENT

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, for many of us in Congress, President Clinton has not adequately justified our involvement in Somalia or defined our mission there. Most of the policies and issues that President Clinton is attempting to address today should have been addressed months ago.

To that end, a number of Members have posed in a letter to the President the following questions:

First, what are the vital national security interests that require the placement of United States forces in Haiti under the auspices of the United Nations?

Second, what is the mission of the United States forces involved in the U.N. mission in Haiti and the estimated duration of the mission?

Third, what is the exact size and composition of the United States forces involved in the U.N. mission in Haiti?

Fourth, what is the estimated cost of the U.N. mission to the United States?

Fifth, what is the precise command and control relationship between the U.S. forces and the United Nations?

Sixth, what is the precise command and control relationship between the U.S. forces involved and the commander of the U.S. military command here in the United States?

Seventh, to what extent will United States forces deployed to Haiti rely on non-United States forces for security and self-defense, and what is the ability of those non-United States forces to provide adequate security to the United States forces involved?

Eighth, what are the rules of engagement for the United States forces in Haiti?

Ninth, what are the conditions under which the U.S. forces can be withdrawn?

Mr. Speaker, I am greatly concerned that the Clinton administration will once again rush into another U.N. operation in Haiti without thoroughly defining our vital interests and mission or taking the steps necessary to protect our troops.

Mr. Speaker, we need these questions answered.

#### HAITI IS VITAL TO UNITED STATES INTERESTS

(Mr. OWENS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, if Cuba or France or some other foreign power invaded Haiti today, the overwhelming majority of the voice in Washington would be raised in a loud cry to send in the Marines to oust the interlopers. Rightly or wrongly, Haiti has always been considered a vital interest of the United States. Haiti is just 500 miles away in this Western Hemisphere. In the best and most positive spirit of an updated Monroe Doctrine now is the time for the United States to come to the aid of democracy in Haiti. A new Monroe Doctrine should strive to guarantee democracy and economic development throughout the Western Hemisphere. The United States is a party to the Governor's Island Agreement. This administration pressured President Aristide into signing an agreement which exposes all of his democratic allies in Haiti to injury and possible death. Haiti has a President elected by 70 percent of the votes. Haiti has a Prime Minister with a cabinet.

Mr. President, now is not the time to waffle. If we are concerned about the safety of our Embassy then you have the right to send in troops to protect our Embassy and American citizens. Do whatever is necessary to alleviate

these fears. But I beg you, Mr. President, to stand behind the Governor's Island Agreement and guarantee the return of President Aristide on October 30. Democracy in Haiti is definitely a vital interest of the United States.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair would like to remind Members that they cannot address the President directly, but they should address the Chair.

#### ONE HUNDRED AND SIXTY YESTERDAYS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, American troops went to Somalia to feed the starving. On May 5, President Clinton welcomed the United States commander, General Johnston, and his troops home from Somalia. In his speech he said:

General Johnston has just reported to me: Mission accomplished. And so on behalf of all the American people, I say to you, General, and to all whom you brought with you: Welcome home, and thank you for a job very, very well done.

Evidently, the job was not done. It has been 160 days since General Johnston announced "mission accomplished." Yet American troops are still there. Last Thursday, President Clinton, announced more troops would be sent and that they will continue to stay until at least late March of next year. Noncombat troops will continue to stay even longer. Of course, none of these troops were ever intended to be combat troops. As President Clinton himself said back on May 5, "your mission was humanitarian and not combat."

America cannot cut and run; we never have, we never will. The President has put America into a position where, if we do what should have been done in the first place, we will look like we are doing the wrong thing at the last minute. The President is the Commander in Chief. He has now determined troops will have to be there for many tomorrows. The question is, why were they there for 160 yesterdays?

□ 1220

#### OUR GOAL IN SOMALIA: DIS-ENGAGE OUR FORCES AND PROTECT EVERY AMERICAN THERE

(Mr. REED asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REED. Mr. Speaker, the President was correct last week when he

outlined American policy in Somalia. Strategically he indicated that we must disengage our forces because there is no overriding and overwhelming American interest to maintain large forces in Somalia. He was also correct tactically because, in order to accomplish such a disengagement, we must be strong on the ground. Therefore, we must reinforce our forces on the ground. Since May 4 of this year, American strength has decreased from 28,000 personnel to about 4,000 personnel. It is a path to reduce American presence, to bring our forces home and to reorient our policy in Somalia.

We also must be cognizant of a continuing role for the United Nations, but the United Nations should be able to find its way in Somalia. It is our goal now, the goal of the United States, to disengage our forces, and, over all, to protect every American service man and woman who is in Somalia. That ultimately is the challenge we face, to bring all our forces home safely and surely.

#### NOBODY KNOWS WHAT OUR POLICY IS IN SOMALIA

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BURTON of Indiana. Mr. Speaker, our goal in Somalia was to feed the hungry, and President Bush said that we would have our troops out of that country by Inauguration Day last January. What happened? We stayed there.

In April, Mr. Speaker, many of us in the Congress sent a letter to the President of the United States saying, "Our job is done. Let us bring our troops home and turn this over to the United Nations."

Well, on May 5, Mr. Speaker, the President welcomed our troops home. He declared that the mission was accomplished and that everything was fine, except they expanded our mission into nation building. They cut our troop strength from 28,000 to 4,000, left our troops exposed and expanded the mission. I ask my colleagues, "Can you believe that?"

Now, Mr. Speaker, they are sending in 1,700 more troops. That is just a little bit. I say, if you're going to do it, go in and get the job done, but sending a few more in is a recipe for disaster like we faced in Beirut. Nobody knows what our policy is in Somalia.

I was at the White House last week. Senators and Congressmen really still do not know what our policy is. We have a vacillating, inconsistent, and unsure foreign policy, and it is not just damaging America right now, and our prestige. It is endangering the future stability of many parts of the world. We need to get our act in order.



### HEALTH CARE DESERVES FAIR DEBATE

(Mr. STRICKLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STRICKLAND. Mr. Speaker, we have a great freedom in this House to express ourselves to the American people. At times, however, this freedom is exploited. Such was the case on September 30 when a leader of the minority party took the floor of this Chamber, and, using convoluted reasoning, implied that President Clinton intends to ration health care.

Implying that the Clinton model is a system that will explicitly ration care, this leader of the minority party said, and I quote from the RECORD, "Now let us be very clear with people. Essentially rationed care means that if you are over 55 and you need kidney dialysis, you die."

Mr. Speaker, that statement was meant only to distort the truth and to scare Americans. Such distortions cannot go unchallenged. I hope that in the future, my colleague from the other side of the aisle would have a greater devotion to fair debate and intellectual integrity.

### WE MUST STOP TAXPAYERS' DOLLARS FROM ENDING UP IN THE HANDS OF DRUG DEALERS

(Mr. FRANKS of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANKS of Connecticut. Mr. Speaker, one of the worst aspects of our current welfare system is the possibility that our hard-earned tax dollars could go to individuals who may use the money to buy illegal drugs. There are good reasons to believe that this is happening to some degree. After all, unemployment is the highest in our inner cities, illegal drug transactions are the highest in our inner cities, and welfare use is high in our inner cities. Where is the money coming from?

Thus, Mr. Speaker, our current welfare system is not only making people more dependent on the Government, but it may be inadvertently helping the underground drug industry to flourish. In both instances, Mr. Speaker, we, the taxpayers, lose. But the welfare recipients, and more importantly, their children, are the big losers.

Mr. Speaker, maybe we should consider an alternate means of dispensing benefits to those on welfare to prevent taxpayers' dollars from ending up in the hands of drug dealers.

### INTRODUCTION OF THE YOUTH HANDGUN SAFETY ACT

(Mr. CASTLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CASTLE. Mr. Speaker, 2 weeks ago I met with a group of about 90 students at Dover High School located in Delaware's capital. I asked them how easy it is for them to get their hands on a handgun. The answer: "As easy as going out in front of school at the end of the day."

That is the stark reality of kids and guns in large cities and small towns alike throughout this country today.

On our streets and in our schools, juveniles are openly carrying handguns to impress their friends and to protect their turf and they are using them to kill other young people.

Juveniles and gang members in a majority of States can openly carry guns on the streets because there are no laws prohibiting the open carrying and possession of guns by minors.

My distinguished colleague from Kansas, DAN GLICKMAN, and I have introduced the Youth Handgun Safety Act to close this loophole in Federal gun laws.

The bill makes it illegal for anyone to sell, deliver, or transfer a handgun or ammunition to any person under the age of 18. It also makes it unlawful for youths under the age of 18 to possess a handgun, except for hunting, a gun safety course, or target practice under the supervision of an adult.

I, as much as others, wholeheartedly respect Americans' second amendment rights to bear arms; no one wants to restrict a person's freedom to use firearms to hunt and shoot weapons in rifle contests. However, children using guns to kill others was not what the Framers of the U.S. Constitution had in mind when they drafted the second amendment.

Will enacting this legislation completely stop handgun-related violence by youth? No. But it will act as a strong deterrent and help us get handguns out of the hands of our children and teenagers.

### CAN WE AFFORD IT?

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Even after all the hype, Mr. Speaker, the administration has still not submitted a specific health care bill to the Congress. Even after a speech to the Nation in a joint session, no one knows exactly how much this bill, when it is submitted, is going to cost. Even after several congressional hearings, no one, not even the Secretary of Health and Human Services, can explain exactly how this plan will work or how it will be financed.

Mr. Speaker, all we really know for certain is that the President has promised so much that it will be unbelievably expensive. It apparently will be paid for by new taxes on business and

increased Federal spending. This will inevitably lead to huge numbers of lost jobs and higher prices for everyone, or, as one Democrat Congressman said, "It will add big bucks to the deficit and cause much higher prices for consumers."

Mr. Speaker, I can think of all sorts of wonderful things I wish our Federal Government could do for our people. However, in the end, the big question is: Can we afford it?

The answer on the health care plan is that we cannot even come close to being able to afford all that the President has promised.

□ 1230

### REPORT ON NAFTA FROM A GOVERNMENT OPERATIONS COMMITTEE MEMBER

(Mr. ZELIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZELIFF. Mr. Speaker, late last night, I and several of my colleagues from the Government Operations Committee returned from a 4-day factfinding trip to Mexico. The purpose of the trip was to explore the issues surrounding the debate over NAFTA.

For me, the trip was an opportunity to pursue firsthand answers to questions I have had relative to labor and environmental concerns. I found a country that is on a steady road toward development and prosperity. I saw firsthand a market that favors American products, a market that will expand tremendously with the passage of NAFTA. And, Mr. Speaker, I found a government headed by President Salinas with the vision to lead Mexico into the 21st century.

Mexico is still a developing country and has a number of major problems to overcome. But NAFTA is already leveraging improvements in Mexico, both in the area of labor and the environment. In the end, both our countries will benefit from the expanded trade. NAFTA will solidify an already close economic relationship between Canada, the United States, and Mexico, allowing North America to effectively compete with any challenge from Asia or the European Community. As we enter a stronger global market, NAFTA is a good deal for this country. Mr. Speaker, and I urge my colleagues to support it.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered,

or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today.

#### MOST-FAVORED-NATION STATUS FOR ROMANIA

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 228) to approve the extension of nondiscriminatory treatment with respect to the products of Romania.

The Clerk read as follows:

H.J. RES. 228

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves the extension of nondiscriminatory treatment with respect to the products of Romania transmitted by the President to the Congress on July 2, 1993.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes and the gentleman from California [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Joint Resolution 228, which would extend normal, or most-favored-nation, tariff treatment to the products of Romania.

This resolution would have the effect of approving the United States-Romania Trade Agreement, which was signed in April 1992 in response to Romania's progress toward democratic and economic reform, and which was submitted by the Clinton administration to the Congress in July of this year.

Under title IV of the Trade Act of 1974, congressional approval of this trade agreement, through passage of a joint resolution, is required in order to grant Romania MFN status, since Romania currently does not have MFN.

Romania has not received MFN treatment since 1988, when the Romanian Government renounced the renewal of its MFN status subject to the conditions in United States law and the United States President accordingly issued a proclamation withdrawing MFN treatment.

Mr. Speaker, written comments submitted to the Committee on Ways and Means on the United States-Romania Trade Agreement reflected tremendous support for renewal of Romania's MFN status.

Granting Romania nondiscriminatory tariff treatment would enhance the climate for business investment in Romania and generate greater opportunities for United States companies that export to that country. Also, a normal trading relationship with the United

States would provide Romania with the economic stability that is vital to the continuation of its democratic reform process.

When the House voted on a resolution identical to House Joint Resolution 228 during the 102d Congress, questions arose on the floor as to Romania's human rights record and its progress toward full democratization. In the months since this vote in the fall of 1992, the Romanian Government has made tremendous strides forward in both these areas and under very trying economic circumstances.

In short, it is time we granted Romania normal tariff treatment. According to the State Department, Romania complies fully with the freedom-of-emigration requirements in title IV of the 1974 Trade Act.

Furthermore, Romania is a country that suffered for years under a crushing dictatorship. Since the 1989 revolution, this country has striven to reverse the psychological, political, and economic devastation the Ceausescu regime left as its legacy. The new leaders of Romania deserve any leg up that the United States can provide them in their long climb back to the community of democratic, free-market societies.

Mr. Speaker, granting Romania MFN is the right and just thing to do and I therefore urge my colleagues to support House Joint Resolution 228.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are once again considering legislation which would extend normalized tariff treatment, the so-called most-favored-nation principle, to the products of Romania. In passing House Joint Resolution 228 we are, in effect, approving the bilateral trade agreement between our two countries, as well as affirming that Romania has established certain procedures to assure freedom of emigration and other basic human rights.

I want to remind my colleagues that, under this bill, MFN for Romania would be conditioned on an annual review by the President and the Congress under procedures established in the Trade Act of 1974.

Mr. Speaker, this bill is far from an overall endorsement of the current government in Romania. Nor is it an affirmation that the process of reform in Romania is complete or adequate at this time.

The effect of this bill is to extend a helping hand to the people of Romania in the belief that expanding trade between entrepreneurs in our two countries will support the cause of democratic and market oriented reform there.

When we grant MFN to an emerging economy like Romania, we also expand

opportunities for our own exporters. U.S. industries selling products such as machinery, animal feed, telecommunications equipment, cotton, and data processing devices are certain to benefit as a result of this legislation.

When this body considered a similar bill last September, the resolution was defeated due in large part to concerns about the Romanian national elections, which had not been completed at the time of the vote. Information from international observers indicates that generally fair, multiparty elections took place in Romania in the fall of 1992. The election resulted in a divided government which has largely espoused a commitment to democratic and free market reforms. We expect these reforms to continue.

Breaking with the past is difficult, and recent events in Russia along Romania's border have not improved the long-term outlook for political stability, economic reform, and a better life for the Romanian people. At this delicate time in the transformation of a society that is struggling to overcome years of economic stagnation under communism, it is important for the United States to pass this bill.

I urge a favorable vote on House Joint Resolution 228 which would grant MFN to the products of Romania, subject to annual review by the President and the Congress.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS], chairman of the Subcommittee on Trade of the Committee on Ways and Means.

Mr. GIBBONS. Mr. Speaker, Romania deserves the kind of tariff treatment that this legislation gives them. Romania is a country of about 25 million people. Its most recent ill fortune was to be ruled by a Russian puppet by the name of Nicolae Ceausescu, and it had a tortured history, a very tortured history.

It was occupied by Germany for years, liberated by the Russians. It suffered a bloodbath of more than 10,000 people killed during that liberation exercise, trying to establish political control there. It was a part of the Austrian-Hungarian Empire. It is entirely different than most of the Eastern European countries that surround it, and this kind of history, with these ethnic overtones, have caused it for a thousand years to have a terribly tortured history.

But Romania is a democracy. It is the last country in Eastern Europe to obtain this kind of normal trade relationship.

This will not be our last exposure to this issue. It will come again at this time next year when we have to consider an extension of most-favored-nation treatment again.

So, Mr. Speaker, I would urge my colleagues, based upon my experience,



my visits there, and my study of the situation, to endorse this legislation overwhelmingly.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, for 4 years I have sponsored legislation to extend most-favored-nation status to the products of Romania. I was most pleased when President Clinton submitted this proposal in mid-July. Extending MFN to Romania can be seen as one part of his commitment to strengthening our trading relationships with former Eastern bloc countries and newly developing market economies. For many years Congress granted MFN to a Romania under the Communist dictatorship of Nicolae Ceausescu. Many of us remember the devastation wreaked on Romania under this brutal dictator's domination. Since Ceausescu's overthrow in 1988, Romania has existed without preferential treatment. However, many of us are all too aware that MFN is necessary to Romania's transition to a market economy. Currently, Romania is the only former Soviet bloc country to which MFN status has not been restored. Romania currently stands with countries such as Cuba and North Korea which are disallowed such special trade treatment for good reason. This kind of international stigma cannot continue.

It has been a long road for Romania since its bloody revolution. It is now struggling toward a democratic and free market economy. Our Nation has supported a program of assistance to Romania since that revolution and a new trade agreement with Romania was signed under the Bush administration on April 3, 1992.

Last year, the House of Representatives defeated a bill to extend MFN based on a list of serious congressional concerns that were highlighted during debate of this issue. Some of these concerns included the Romanian election process, human rights conditions, freedom of the press, and the establishment of an independent jury. As a result of this debate, MFN was delayed as the House insisted on more measurable progress by the Romanian Government and its people.

Now Romania has worked to make significant progress in constituting a democracy from its former Communist past. Free market reforms, a growing free press, greater religious and political tolerance, and freedom to travel; these all exist in Romania today. The creation of an independent jury also signals this country's commitment to a democratic government. Perhaps most significantly, Romania has conducted Presidential and parliamentary elections and international and American observers deemed them fair.

Others in Congress, led by Congressman BART GORDON, more recently ex-

pressed concern for the plight of children institutionalized and abandoned in Romania. The Romanian Government understood these concerns and the problems affecting their nation's children. Their Government has demonstrated its commitment by passing legislation to improve the conditions for institutionalized and abandoned children. President Iliescu signed into law an important new abandonment policy. In addition, the Romanians have pledged to continue to improve conditions in orphanages and institutions for children with special needs.

Other important developments have occurred. Just last week, Romania was admitted as a member of the Council of Europe. Importantly, Romania complies with the freedom of emigration requirements under the Jackson-Vanik amendment to the Trade Act of 1974.

While much has improved, we all recognize there is more to be done. Human rights violations, treatment of ethnic minorities and efforts toward a freer media must be continually addressed.

Economically, Romania faces many challenges. This country has been hindered by a lack of hard currency in its private sector. MFN will improve that by encouraging investment. It is also important to note that Romania, through extensive diplomatic efforts, has attempted to promote peace and stability in the Balkan region. Romania shares an extensive border with the former Yugoslavia. Its proximity to this war ridden region has greatly prohibited its trade traffic. Romania has adhered to U.N. sanctions against Serbia at a very high cost. Extension of MFN will help to sustain Romania's economic recovery.

In addition, extension of MFN will improve our ability to export to Romania. After all, MFN is not a one-way street. In fact, last year, the United States exported over \$239 million in goods to the Romanian people. Leading exports to Romania and other Eastern European nations were automotive vehicles, aircraft, equipment and machinery, and mechanical appliances. The reduction of barriers and removal of restrictions will enhance our ability to trade with a technically developing nation. And in other terms, exports to Romania means jobs to Americans.

Financial and technical assistance are flowing into Romania easing its integration into a world economy. This integration is deliberate, and admittedly, it is not as fast as they or we would like. But this is the beginning of an important trading relationship.

The advantages of MFN will spur economic development of the country's private economy—and a flourishing free market can be a mighty force for political reform.

Mr. Speaker, I thank Chairman ROSTENKOWSKI and Chairman GIBBONS of the Trade Subcommittee for their hard work and I urge my colleagues to support House Joint Resolution 228.

□ 1240

Mr. THOMAS of California. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOLF], a Member who is very familiar with and has firsthand knowledge about the country of Romania.

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, let me begin by thanking the gentleman from Florida [Mr. GIBBONS] for moving this bill and getting it out quickly. I appreciate that very much.

Mr. Speaker, the people of Romania clearly need our help. It continues to be a long, long road to democracy in Romania. As most Members realize, the people of Romania have suffered so much, particularly during the dark days of the 1980's under the Ceausescu administration. More people have died in the Romanian revolution, in the struggle from freedom, than in any other country in Eastern Europe.

Mr. Speaker, I, along with the gentleman from New Jersey [Mr. SMITH] and the gentleman from Ohio [Mr. HALL], led the effort to take away most-favored-nation status from Romania back in the dark days, during the time of Ceausescu. I want to be here to publicly acknowledge the progress that has been made by the Romanian Government and the Romanian people; the progress in human rights, the progress with regard to the treatment of orphans, the progress with regard to the ethnic minorities, and also with regard to the media. But I want to follow on what the gentlewoman from Connecticut [Mrs. KENNELLY] has said, and that is that there is more progress that should be made in the area of human rights, orphans, ethnic minorities, and the media.

This bill, and the difficult time Romania has had in reestablishing and being granted most-favored-nation status, should be an example and message to any other country that loses most-favored-nation status. Romania lost this back in 1987, and here we are in 1993, just granting it. I think the message should go out to any country, particularly China, that if they do not respect and do not do more in the area of human rights, should it lose most-favored-nation status, it could be years and years before it were to regain it.

Mr. Speaker, in closing, I also want to say that should there be any backsliding in the move toward democracy in Romania, and I do not expect that there will be any backsliding, but if progress does not continue, I, as I am sure many other Members would, would be the first one to come up next year to seek perhaps a revocation of MFN or something like that, if there were an egregious violation of human rights. But the Romanian people have suffered so much, that I think this is a tribute, perhaps more to the people than it is to the government. So this

will be a tribute to the people, and many will know this. This will be big news back in Romania later on today and tomorrow.

Mr. Speaker, to these people who have struggled for human rights, those who have lost family members, to the many religious leaders who struggled against the Ceausescu administration, who struggled against communism, to all those people for all the years who have fought triumphantly, I think this is a tribute to them.

Mr. Speaker, I would urge my colleagues that if we have a vote on this, that it would be a unanimous vote. Hopefully, this will be a voice vote, but if not, I hope that it is a unanimous vote, so the message will go forth that the Congress respects and appreciates what the people of Romania have done.

Mr. Speaker, today I rise in support of House Joint Resolution 228 to extend most-favored-nation trading status to the nation of Romania.

The people of Romania need our help. It continues to be a long, hard road toward democracy and economic prosperity for Romania—longer and more difficult than that of most of the other former Communist nations of Eastern and Central Europe.

Let there be no mistake, there has been no velvet revolution in Romania.

For 45 years, the Romanian people struggled under totalitarian Communist rule. Nowhere in the former Warsaw Pact was the suppression of human rights more brutal than that administered under the iron fist of the Ceausescu regime. I first visited Romania more than 8 years ago. I saw the horrible conditions under which the people lived; the fear and desperation which hung over the entire nation. In short, their day-to-day existence was harsh beyond what most Americans can comprehend. But through it all, the people of Romania never lost hope. And today the future of their democratic reforms hinges on whether or not a free market economy succeeds and human rights are guaranteed.

It is not because Romania has achieved these goals, but because they have stayed the course, that I support restoring MFN to encourage further progress.

It is my hope that passage of this legislation will directly assist Romania in its transition to a market-based economy. But passage of MFN provides much more than just preferential trading status between the United States and Romania. Equally important, it sends a powerful message to the people of Romania that the United States Congress and the American people support the economic and political reforms which have been taking place during the last 3 years.

On the economic front, the Romanian Government has continued to pursue painful reforms toward a free market with support from the IMF and the World Bank. Romania has committed to privatization, selling state-owned companies and land. In August last year, an IMF mission to Romania declared that Romania had carried out all reforms mandated in their 12-month agreement. Romania has pursued an associate membership with the European Community and was the first European

nation to initial a free-trade agreement with the European Free Trade Association.

As you know, Mr. Speaker, Romania long enjoyed MFN status until 1988, when the Congress finally stood firm against the brutal atrocities being committed by Nicolae Ceausescu and his henchmen. I'm pleased to say that I played an active role in ensuring that Ceausescu's Romania was cut off from MFN in 1988 because of its blatant disregard for human rights.

But today, Romania is a fledgling democracy struggling to survive. Despite a difficult economic crisis, hope is being restored as democratic reforms are implemented in Romania.

Mr. Speaker, the people of Romania continue to do their part in furthering democracy: 85 percent of the voters turned out for their parliamentary elections in May 1992; more than 70 percent voted in the September 1992 Presidential race. We must now do our part to ensure Romania stays on its present course.

Progress has clearly been made in human rights with limited free press, free elections, the involvement of nonprofit groups and dialog between the Government and ethnic minorities. But, even as these improvements support MFN renewal, the International Human Rights Law Group reports that we must continue to insist upon progress in treatment of minorities, oversight of the security apparatus—the SRI—and a fully independent media and judiciary in Romania. In addition, we must keep a concerned eye upon those from Ceausescu's Securitate who remain in leadership.

Many Members of Congress have shared my concern about Romanian orphans and the need for thoughtful legal reform to ensure the fair adoption of truly abandoned children. I am pleased to report that progress has been made in this area as well. After the estimated illegal adoption of 10,000 Romanian children immediately following the 1989 revolution, Romania passed an adoption law in 1991, stipulating that for 6 months the Romanian Government would seek to place orphaned or abandoned families with Romanian families. After that period, children not adopted by Romanians would be eligible for international adoption.

Following criticism that the adoption law was too restrictive, Romania passed an abandonment law mandating a 6-month period in which careful records are kept of family contact with orphaned children. If there is no contact with family within that window, the child becomes eligible for adoption within 3 months. Institutions that do not properly report abandonment are subject to heavy fines.

Finally, Mr. Speaker, let me say that I do not know what will happen if this legislation is passed and Congress restores MFN to Romania. I am hopeful that it will further Romanian reform efforts and that it will significantly boost our trade relationship, strengthening Romania's democracy. But I do know that continuing to deny MFN to Romania will be a blow to the democratic and free-market reforms under way there.

Mr. Speaker, I want to close by saying that, if democratic reforms slip, and progress in human rights is not continuing this time next year, I will be the first to introduce legislation to revoke MFN for Romania. At this time, I do

believe it is important to encourage Romanians for the progress they have made.

Thus, I urge my colleagues to support this important legislation.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. LANTOS].

Mr. LANTOS. Mr. Speaker, I thank the distinguished chairman for yielding.

Mr. Speaker, last year when we considered most-favored-nation treatment for Romania, it was soundly defeated. Matters rarely are defeated when they are on the Suspension Calendar. But my colleagues responded to an analytical recitation of the outrageous human rights violations that permeated that regime.

It was a shock to the Government of Romania, which had been assured by our then administration that they would be getting most-favored-nation treatment. But it was a useful shock, because in some respects there has been improvement in the human rights situation in Romania, which, in all fairness, I think we need to recognize.

Romania has had an extremely difficult path from communism toward democracy and toward respect for human rights. Romania suffered the most repressive, vicious, totalitarian dictatorship of the countries of Central and Eastern Europe under Nicolae and Elena Ceausescu. The overthrow of the Ceausescu dictatorship was more bloody and violent than any of the other revolutions in the former Communist countries.

The treatment of ethnic minorities, particularly the large Hungarian minority, was an enormously serious problem for this regime. It persecuted that minority, it discriminated against that minority, as it discriminated against the gypsies.

Just 3 months after the overthrow of the Ceausescu regime in March 1990, elements of the security police were involved in a serious outbreak of violence in the town of Tirgu Mures, in which several individuals were killed and injured. The Government of Romania did not take its responsibility seriously under international treaties which assure full protection of ethnic minorities.

This time around, we are looking at a somewhat different picture. In view of improvements in human rights conditions, I shall not oppose most-favored-nation status for Romania for 1 year. I take this step reluctantly and only on a trial basis, and I shall be watching, Mr. Speaker, with great care, whether the pattern of governmentally supported antiethnic policies will finally come to an end.

□ 1250

I will watch with great care whether the persecution of various religious groups will come to an end. I hope they will, and I hope Romania will have



learned a lesson by our denial of most-favored-nation treatment last year that it must become a civilized member of the community of European nations. This means full respect for religious rights, ethnic rights, democratic rights of all citizens.

I also think, Mr. Speaker, it is important to recognize, as we are about to vote most-favored-nation treatment for Romania, that on the part of many Members of this body, this vote is a difficult and reluctant vote. It is not with a feeling of great confidence that this vote is cast, but in the hopeful expectation that there will be continued and sorely needed additional progress.

One reason, Mr. Speaker, several of us are prepared to vote for this, is because the United States will establish, before the end of this calendar year, a diplomatic office in the heart of the ethnic area in the city of Cluj. The American flag, the American Information Office, an office of the U.S. Embassy in Bucharest, will provide us with an opportunity to observe firsthand whether, in fact, human rights are respected, ethnic minorities are protected, and the opportunity to have a full cultural life for the Hungarian ethnic minority of over 2 million people is fully honored.

In that context, Mr. Speaker, I shall not oppose most-favored-nation treatment for Romania for 1 year on a trial basis.

Mr. THOMAS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. CRANE], the ranking Republican on the Subcommittee on Trade of the Committee on Ways and Means.

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding time to me.

First, I want to offer a commendation to our distinguished chairman of the Subcommittee on Trade, the gentleman from Florida [Mr. GIBBONS]. And I want to offer congratulations to our distinguished chairman, the gentleman from Illinois [Mr. ROSTENKOWSKI] for bringing this before us.

Second, I would like to pay tribute to our colleagues who just spoke, the gentleman from California [Mr. LANTOS] and the gentleman from Virginia [Mr. WOLF], both of whom were perhaps more involved in this question than any of the remaining colleagues on the floor.

The fact of the matter is, I was one of those who traditionally opposed MFN for Romania. And until those elections were resolved last year, I had the same reservations that the overwhelming majority of our colleagues had.

Mr. Ceausescu's track record was abominable, and there are still violations, as indicated, of human rights and religious persecution. But there has been dramatic enough progress, and progress agreed to by all of the dissenting parties within Romania, that I think this offers the United States an

opportunity to follow a positive example of rewarding, by treating as civilized, those nations that have bad track records.

I would hope that this is an example, too, that might be harkened to in Bosnia, as they look at the turnaround in conditions that have happened in Romania as a result of acting like civilized people and looking to a better future for the people down there in Yugoslavia.

I would urge my colleagues to support the resolution. We can do it, as the gentleman from California [Mr. LANTOS] indicated, on a reserve basis. We will continue to monitor performance over there. But God willing, we will see it through and Romania will join the community of nations with the respect that the people of Romania have deserved.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. GORDON].

Mr. GORDON. Mr. Speaker, I thank the gentleman from Illinois [Mr. ROSTENKOWSKI], the chairman of the Committee, for yielding time to me, and I offer my congratulations to him, as well as to the subcommittee chairman, the gentleman from Florida [Mr. GIBBONS], for bringing this legislation to us.

I should also give congratulations to the gentleman from Virginia [Mr. WOLF] and other members of the committee that spent so much time. But let me give special commendation to the gentleman from Connecticut [Mrs. KENNELLY], who has taken this issue on as a very personal matter, as has been stated by a number of speakers before.

This Government and the people of Romania inherited a lot of problems, and those problems were conveyed through Members in this body. The gentleman from Connecticut [Mrs. KENNELLY] has had to work hard to address these issues. She has done an excellent job, and I want to give her my special commendation.

Mr. Speaker, I have taken a personal interest in one legacy of the former dictator Ceausescu, a problem that has touched the hearts of many Americans. That is the plight of children sent to orphanages and institutions for the handicapped.

When the Romanian revolution came in 1989, there were more than 100,000 children abandoned in state-run institutions that often were little more than medieval prisons. In the last 2 years, these shocking conditions were brought to light through a variety of television news reports.

Many of us believed the new government was moving too slowly to end this legacy of Communism and save the children. Sixty-two Members of the House cosponsored a resolution that I introduced which told the Romanian government that these children do

matter, and their condition will be an important consideration when the House looks at most-favored-nation status.

Today, I am pleased to report that we have gotten the Romanian Government's attention and it has responded with important steps toward change.

The Parliament has streamlined the Nation's adoption laws and the Romanians have pledged to continue working toward improvement of conditions in the orphanages.

And Romania has worked hard to build its democracy, improve human rights and meet its international responsibilities.

Nevertheless, as we do with other countries in which we have legitimate human rights concerns, I believe Congress should continue to monitor the situation to be sure that the Romanian Government is following up on its pledge to improve conditions in the institutions for children.

I have received commitments from the State Department and U.S. representatives of the Helsinki Commission to monitor the institutions.

I also plan to remain personally involved as an advocate for these children. If the Romanian Government backtracks, I will request reconsideration of MFN.

As a country left with severe damage from its years of Communist dictatorship, Romania has much to do to rebuild its economy and its society.

I believe at this time the best way to help Romania repair itself and to help the abandoned children is to approve the President's request for most-favored-nation status for Romania.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, I want to particularly commend the gentleman from Illinois [Mr. ROSTENKOWSKI], the gentleman from Florida [Mr. GIBBONS], the gentleman from Connecticut [Mrs. KENNELLY], the gentleman from California [Mr. THOMAS] for this very positive legislation, and also join in the accolades for the gentleman from California [Mr. LANTOS], and the gentleman from Tennessee [Mr. GORDON] for the work that he has done on the orphan issue.

Mr. Speaker, I had a chance to visit, with the gentleman from Maryland [Mr. HOYER] years ago, the Romania of Ceausescu and, a year ago, with Chairman DECONCINI, the Romania of Iliescu. And the change is dramatic.

There is a move toward democratization, although not perfect. There are some market reforms instituted.

I think, as the gentleman from Tennessee [Mr. GORDON] mentioned, there has been progress on the orphan issue. The Romanians still need to clean up their act, when it relates to the Hungarian minorities. Many native Romanian gypsies are persecuted or not

treated properly, but I think the reason we are passing this legislation is to demonstrate a reward for the progress that is being made, to show a vote of confidence that the United States has in the democratization and human rights improvements of Romania but also I think, as the gentleman from California [Mr. LANTOS] said, to keep a watchful eye on the progress of these reforms.

I think it is also important, Mr. Speaker, to recognize that here is a case where human rights pressure, democratization pressure has made a country move in a positive direction. Romania years ago probably was the worst human rights abuser of any nation, and now we have a proud nation moving toward democratization, toward market reforms and many other good initiatives.

I join with the chairman of this committee in asking for the support of this important bill. It is a step forward. It is a step in the right direction.

Mr. Speaker, today I would like to bring to your attention a country that has made progress toward democracy and market economics. Today we will vote to decide our trading relationship with Romania. House Joint Resolution 228 would extend most-favored-nation trading status to Romania. Romania's evolution is not complete. Extending MFN to Romania today will recognize the progress its made and make the Government of Romania prove its intentions. Supporting House Joint Resolution 228 will signal our recognition of Romania's changes thus far and maintain ours and their interest in further change.

Romania's trade status with the United States remains unresolved. Economic reform, democratization, human rights, and the massive number of orphans are issues which concern many. Although these problems are not entirely solved, MFN status will help alleviate these problems and keep Romania on a path toward democracy and liberalization.

Ion Iliescu's ascendancy in September of 1992 introduced a democratically elected leader to Romania's troubled political landscape. Democratic reform continues with the growth of political parties and an increasingly free and outspoken press. More needs to be done and the United States will be watching.

Economic reform continues under Iliescu. Land reform and privatization of state assets are among the biggest initiatives undertaken by the Government. Additionally, investment laws now allow greater foreign investment into Romania's growing market. MFN status will help United States exports and keep Romania's economy on a path to free markets.

Human rights continue to concern us and the Government of Romania has made efforts in addressing the problems with the Hungarian minority. The Government of Romania has addressed one of the most evident human rights issues; the orphans. Earlier this year the Government of Romania passed new legislation to improve the situation.

MFN status for Romania would strengthen its democracy, bolster its economy, and alleviate social tension. Romania professes a new direction for its country. I believe we should

give Romania the benefit of the doubt. I urge my colleagues to vote for House Joint Resolution 228.

□ 1300

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I briefly thank the chairman of the full Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI], and the gentleman from Florida [Mr. GIBBONS], the chairman of the Subcommittee on Trade of the Committee on Ways and Means, and all of those who, I think, quite rightly cautioned us about moving in a rote fashion in removing most-favored-nation treatment for Romania last fall. I see nothing wrong at all with using those controls under our power as a carrot and stick to make sure that people comply minimally with rights that we feel comfortable with if we are going to engage in a most-favored-nation relationship.

Once again, I rise and ask my colleagues to support this resolution granting most-favored-nation condition to Romania, because in fact there have been changes; not that we say that they are completed, not that we even endorse most of what is being done. It is that we will continue with a vigilant eye to make sure on an annual basis that Romania continues to allow freedom to flourish in its country. To the extent that our trade agreements will benefit that, we will continue to monitor that.

Mr. Speaker, I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield our remaining time to the gentleman from Maryland [Mr. HOYER].

The SPEAKER pro tempore (Mr. MONTGOMERY). The gentleman from Maryland [Mr. HOYER] is recognized for 3 minutes.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, since I last addressed the question of the restoration of most-favored-nation [MFN] status for Romania before this body last July, the Helsinki Commission has continued to monitor closely the situation in that country. We have given particular attention to a number of areas where historically, Romania's record has caused the greatest concern: Human rights, including the treatment of minorities and good faith on the part of the Government in addressing minority concerns; respect for the independence of the media, especially in the area of broadcasting, effective control of the internal security and intelligence forces by civilian authorities, conditions in institutions such as orphanages; and the development of a market economy. On net, I continue to believe sufficient progress has been made in these areas to warrant the restoration of MFN for Romania.

This progress has not been without its inadequacies. I am aware of, for example, difficulties that have recently emerged within the Government's newly established Consultative Council for National Minorities, with changes in the oversight of privatization, and with efforts to reform the security services. Nevertheless, MFN for Romania continues to be supported by a broad cross-section of Romanian society, including segments that are extremely critical of current Government practices. Clearly, these groups have concluded, as I have, that withholding MFN from Romania at this time will not foster the process of reform, and may hurt the very people in Romania we seek to help.

I do not believe that the setbacks seen to date signal an end to or reversal of the overall process of democratization in Romania. On the contrary, I expect that process to continue. Opportunities to ensure this goal are greater now than before, as Romania has significantly opened its door to scrutiny by the international community. Just last week, Romania was admitted to the Council of Europe. Although any one of the Council's current European members could have blocked Romania's admission, none did. Romania's membership now paves the way for its ratification of the European Convention on Human Rights and, more importantly, Romania's submission to the European Commission and Court of Human Rights.

On this side of the Atlantic, I have no doubt that careful attention to the practical application of Romania's commitments will also continue. The restoration of MFN is, of course, by no means irreversible. I am confident that the Helsinki Commission, along with many other interested Members of Congress, will undertake periodic comprehensive and rigorous examinations of developments in Bucharest. Our Commission has already begun a series of reports on the implementation of Helsinki human rights commitments in Eastern Europe and will include a report on Romania.

Mr. Speaker, I believe that everyone here today shares a common goal of advancing human rights and fundamental freedoms in all the countries of Eastern Europe undergoing the difficult transition from totalitarianism to democracy. But I do not believe that singling out Romania alone of all these countries will have that effect. I urge my colleagues to join the President in supporting the restoration of most-favored-trading status for Romania.

I believe it is the appropriate and timely thing to do, Mr. Speaker.

Mr. Speaker, as I said, we must and we will remain vigilant. This is one tool of many, and we see a great difficulty in the use of military tools in terms of sanctions in other areas where pressure can be brought so countries,



large and small, comport with international norms, international agreement, and respect for human rights and liberty.

Mr. DICKS. Mr. Speaker, I rise in strong support of this legislation which supports President Clinton's proposal to extend most-favored-nation status to Romania.

Bringing the nations of the former Warsaw Pact into the family of democratic, market economy nations remains a top priority for our Nation and the entire European Community. To date most-favored-nation trade status has been extended to all these nations with the exception of Romania.

Last year the House voted not to extend MFN to Romania because of deep concerns with respect to that nation's commitment to democracy and its record on human rights. Since then, Romania has successfully completed internationally supervised free elections, and has committed itself to the painful process of converting to a market economy. Partially as a result of congressional concerns President Iliescu has signed into law an important abandonment policy and have pledged to continue to improve the conditions in orphanages and institutions for children with special needs. In light of this progress, the Council of Europe recently voted to add Romania as a member.

Further progress in Romania will depend on economic improvement. Extension of most-favored-nation status can help Romanians achieve this goal as well as provide important trade benefits for Americans, where we already export \$239 million in goods and services. Therefore I urge my colleagues to support this resolution and help move Romania on the path toward full participation in an integrated world economy.

Mr. GILMAN. Mr. Speaker, as a member of the Committee on Foreign Affairs, I rise in support of House Joint Resolution 228, which would extend most-favored-nation, or MFN, tariff treatment to imports from Romania.

As a trade measure affecting our tariff revenues, House Joint Resolution 228 falls within the jurisdiction of the Ways and Means Committee. As in many other instances where MFN tariff treatment is considered for Communist or post-Communist economies, however, its extension to countries such as Romania is linked to a judgment by the Members of this Congress as to whether such countries are moving toward democracy and observance of human rights, as well as toward a market-based economy. It is therefore clearly a matter of some importance in our foreign policy toward those countries.

Mr. Speaker, putting it briefly, the Romanian Government has made progress in the last year or so to meet the concerns of Members such as myself in the areas of democratization, human rights, and economic reform. Democratic elections have been held, legislation to make easier the adoption of orphaned Romanian children by foreigners has been implemented, foreign investment is allowed and treated equitably, and movement toward a free press appears to be underway. The difficult measures to implement the transformation to a market-based economy have not yet been completely accomplished, but the Romanian Parliament and Government have begun that necessary process. Finally, Romania has

shouldered a large share of the financial burden resulting from the international sanctions against Serbia, meant by the international community to eventually bring an end to the violence racking the region of the Balkans.

Mr. Speaker, having said all of this, I must state my expectation that we will in fact have continuing concerns above developments in Romania. The Government's treatment of ethnic minorities within Romania, in particular, will be a major concern for both the United States and the international community. We cannot make it clear enough that we fully expect that Romania and the other newly liberated countries of Eastern Europe, once having set foot on the road to democracy, human rights, and market-based economies, will depart from it. By extending MFN tariff treatment to Romanian products, however, we will be sending a clear message of support to the Romanian Government and its people as they make the journey down that road.

Accordingly, I urge my colleagues to join in passing this measure before us today.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the joint resolution (H.J. Res. 228).

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 228, the measure just concluded.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### RELATING TO THE ASIA PACIFIC ECONOMIC COOPERATION ORGANIZATION

Mr. ROSTENKOWSKI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 113) relating to the Asia Pacific Economic Cooperation organization.

The Clerk read as follows:

H. CON. RES. 113

Whereas the Asia Pacific Economic Cooperation organization was formed in 1989 in order to strengthen regional ties among the economies of member countries of the organization by reducing barriers to trade and investment between such members;

Whereas the organization seeks to reduce such barriers through economic cooperation and the coordination of policy among such members;

Whereas the United States is a member of the organization;

Whereas trade between the United States and organization members Australia, Brunei Darussalam, Canada, the People's Republic

of China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Taiwan, and Thailand accounts for more than half of all United States two-way trade;

Whereas the United States exported \$218,000,000,000 of goods and services to members of the organization in 1992, an amount constituting 52 percent of the value of all United States exports in that year;

Whereas the volume of trade between the United States and the Asia Pacific region increased at an average annual rate of 9.1 percent between 1980 and the present;

Whereas that rate of increase exceeds the average annual rate of increase in trade during that period between the United States and any other region;

Whereas it is in the interest of the United States to expand trade between the United States and Asia Pacific countries in order to create more export-oriented jobs for Americans;

Whereas the United States, as a Pacific power with significant economic and security interests in the East Asia and Pacific regions, should be engaged actively in shaping institutional arrangements that advance freer trade and strengthen the multilateral trade system;

Whereas the annual ministerial meeting of the organization will be held in Seattle, Washington, on November 17 through November 19, 1993, and will be chaired and hosted by the United States;

Whereas chairing and hosting the ministerial meeting presents the United States with the opportunity to initiate a proactive agenda in order to achieve progress among members of the organization relating to economic competition, civil aviation, energy cooperation, use and exchange of technological data and products, intellectual property rights, human resources development, and the environment; and

Whereas a strong United States commitment to the organization can promote liberalization of trade among organization members, and can advance interests common to such members in a region undergoing rapid economic and political transformation: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress—

(1) to encourage United States leadership in the Asia Pacific Economic Cooperation organization; and

(2) that the President, the Secretary of State, and other representatives of the United States Government should take the opportunity presented by the scheduled chairing and hosting by the United States of the ministerial meeting of the organization in Seattle, Washington, on November 17 through November 19, 1993, to reaffirm the United States commitment to make Asia Pacific Economic Cooperation an effective regional economic organization that reduces formal and informal barriers to increased intra-regional trade through the harmonization of standards, trade, and investment policies.

#### SEC. 2. TRANSMITTAL OF RESOLUTION.

The Clerk of the House of Representatives shall transmit a copy of this resolution to the President and the Secretary of State.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 20 minutes, and the gentleman from California [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 113 expresses the sense-of-the-Congress to encourage U.S. leadership in the Asia Pacific Economic Cooperation, or APEC, Organization. This measure notes specifically that the United States is chairing the November meeting of APEC ministers in Seattle, WA.

APEC is a unique trade organization in that it includes both the United States and Canada; the three Chinas, that is, the People's Republic of China, Taiwan, and Hong Kong; Japan; Australia and New Zealand; South Korea; and the countries belonging to the Association of Southeast Asian Nations, or ASEAN. In other words, APEC is a group that links the North American trading powers with their Asian counterparts, including such major Asia/Pacific players as Japan and China.

While the Committee on Ways and Means has devoted much attention to the NAFTA this fall, I am pleased that we moved House Concurrent Resolution 113 to the House floor for action today.

The Asia/Pacific region is the fastest growing area in the world and accounts for 40 percent of total United States trade. Congressman JIM MCDERMOTT's resolution ensures that the Congress and the administration do not lose sight of the tremendous economic opportunities available to American businesses in Asia and the Pacific Basin.

Mr. Speaker, I therefore urge my colleagues to support House Concurrent Resolution 113.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 113 is a noncontroversial, sense of Congress resolution, as the chairman has indicated, and I wholeheartedly endorse it. The President and the U.S. Trade Representative have made a special commitment to elevate the role of the Asia Pacific Economic Cooperation group in expanding trade and reducing intra-regional trade barriers throughout the entire Pacific rim. As a Member of Congress from California, I would like the Members to realize that the Pacific rim extends to the west coast of California, and not just in Asia as well. Passing House Concurrent Resolution 113 will put the Congress on record in strong support of a goal that we share with our President.

House Concurrent Resolution 113 is being considered in anticipation, as the chairman indicated, of the annual APEC ministerial meeting, which is being hosted by the United States this year in Seattle in the middle of No-

vember. The resolution encourages the U.S. leadership in APEC and endorses the administration's commitment to make the group an effective negotiating forum.

Mr. Speaker, the Pacific rim contains the fastest growing economies in the world today. It is important we nurture even stronger ties than are currently present with these nations today. Since 1980, U.S. trade with the Pacific rim has increased by 165 percent. In 1992, total trade between the United States and Asia exceeded \$300 billion. By comparison, total trade with Europe during this time was about \$180 billion.

House Concurrent Resolution 113 helps us reaffirm our commitment to take a leadership role in international organizations committed to free trade. It will send a signal to United States firms that it is critical for them to take greater advantage of the exploding export opportunities in Pacific rim markets, and I hope it will turn our attention to the entire Pacific rim and to all the nations of the Pacific rim, including the country of Vietnam, if we can deal with the POW-MIA question.

Continued economic growth and resulting political stability within the Pacific Rim is of vital strategic and economic interest to the United States. Our future economic health demands our expanding trade relationships grow, even more so than currently, with Mexico and NAFTA, extending in the Western Hemisphere as well, but equally so with our expanding trade relationships with the dynamic economies of Asia.

Mr. Speaker, I urge my colleagues to vote yes on House Concurrent Resolution 113.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Speaker, first, I would like to thank the Chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI], the chairman of the Subcommittee on Trade, the gentleman from Florida [Mr. GIBBONS], the chairman of the Committee on Foreign Affairs, the gentleman from Indiana [Mr. HAMILTON], the chairman of the Subcommittee on Economic Policy, Trade and Environment Subcommittee, the gentleman from Connecticut [Mr. GEJDENSON], the gentlewoman from Washington [Ms. CANTWELL] and the respective committee staffs for allowing this resolution to be brought to the House floor in a timely manner.

House Concurrent Resolution 113 recognizes the innovative efforts of the Asia Pacific Economic Cooperation Organization, also known as APEC, to strengthen trade and investment ties between and among its members and to foster liberalization of their trade and

investment programs. Established in 1989 in Canberra, Australia, APEC has moved from being a venue for dialogue to an organization that advances freer trade in a region undergoing rapid economic and political changes.

APEC provides an international forum for its 15 members to discuss trade liberalization and economic cooperation throughout the region. APEC's members are Australia, Brunei, Canada, the People's Republic of China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Taiwan, Thailand, and the United States. APEC nations are among the fastest growing economies in the world. The United States is the 1993 chair of APEC and host of its November ministerial meeting in Seattle, WA, from November 17 to 19.

This legislation confirms the importance of continued relations with the Asia-Pacific economies by recognizing APEC's success in facilitating U.S.-transpacific trade. President Clinton's visit to Japan in July 1993, illustrates the significant policy fluctuation taking place in the Asia-Pacific economic region. APEC can influence the future direction of regional trade and integration, and advance broader U.S. economic goals. Last year, U.S.-transpacific trade totaled \$344 billion. That is a figure 300 percent larger than our trade with Latin America and 50 percent greater than U.S.-transatlantic trade. President Clinton further emphasized the importance of this region by agreeing to participate in both the APEC ministerial meetings and an APEC leaders meeting in Seattle immediately following.

Finally, the resolution supports and encourages U.S. leadership in APEC. As 1993 chair of APEC and host of the ministerial meeting in Seattle, WA, the administration has the opportunity to initiate an agenda that will achieve real progress on reducing trade barriers and promoting investment in a region where the United States has such significant economic and security interests.

I am extremely proud that Seattle was chosen by the U.S. Department of State for the APEC ministerial meetings on November 17-19. Seattle's location on the Pacific, the extensive reliance of Seattle and Washington State on international trade, especially with the Pacific region, the continuing progressive attitude of Seattle's leaders in international affairs and trade issues, and Seattle's modern infrastructure all contributed to Seattle's selection.

However, none of this would be possible without the great people of Seattle and, especially, Robert Kapp and his staff at the Washington Council on International Trade; the council has worked for more than 2 years to bring this event to Seattle. The Governor of Washington State, the mayor of Seattle, the King County executive, and



the entire Washington State congressional delegation, working with key private sector groups encouraged Seattle's consideration and selection.

On June 16, 1993, a similar resolution passed the Senate. If the expanding Asia-Pacific economies are to take U.S. trade policy seriously, it is essential that Congress show its support for both the President and his evolving Asia-Pacific policy. A first step in the direction would be to voice congressional support for the President's official intermediaries at APEC as an effective economic organization that reduces formal and informal barriers to increased intraregional trade through the harmonization of standards, trade, and investment policies. Passage of this resolution will send a positive message to our trading partners and continue to build the appropriate momentum for the crucial November meetings.

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Mr. THOMAS of California. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Iowa [Mr. LEACH], the ranking Republican on the Asia and Pacific Subcommittee of the Committee on Foreign Affairs.

Mr. LEACH. Mr. Speaker, I thank my distinguished colleague for yielding the time.

I will be brief. Let me commend the gentleman from Washington [Mr. McDERMOTT] for this thoughtful and appropriate resolution regarding U.S. participation in the Asia Pacific Economic Cooperation process, or APEC. I also wish to commend my colleagues—particularly Mr. ROSTENKOWSKI, Mr. GIBBONS, Mr. ACKERMAN, Mr. THOMAS, and Mr. CANTWELL—for their leadership on Asian issues.

Mr. Speaker, all Americans are becoming increasingly aware that the Asia-Pacific region is the world's largest consumer market and our biggest export market. Last year U.S. exports to Asia were worth more than \$120 billion accounting for 2.3 million American jobs.

APEC was established in 1989 as an informal grouping of 12 Asia-Pacific economies formed to promote market oriented multilateral cooperation in the world's fastest growing economic region. In November 1991, APEC admitted the three Chinas—the People's Republic of China, Taiwan, and Hong Kong—bringing membership to 15. Today, this transpacific grouping which includes the U.S. represents almost half of the world's GNP.

The United States holds the APEC chair this year, and will host an important ministerial meeting and informal leaders summit later this year in Seattle. Although APEC is only in its infancy, it nevertheless represents the most promising vehicle for becoming a durable and effective framework for

promoting market-oriented multilateralism in the Pacific rim. It deserves American respect and support. In this context, I urge adoption of this resolution.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington [Ms. CANTWELL].

Ms. CANTWELL. Mr. Speaker, I rise today in support of House Concurrent Resolution 113, which encourages U.S. leadership in the Asian Pacific Economic Cooperation Organization known as APEC.

I would first like to take this opportunity to thank Chairman ROSTENKOWSKI of the Ways and Means Committee, the chairman of the House Foreign Affairs Committee, Mr. HAMILTON, and the chairman of the Foreign Affairs Subcommittee on Economic Policy, Trade, and the Environment, Mr. GEDJENSON, for their leadership in expediting consideration of this resolution by the Foreign Affairs Committee.

It is with a sense of pride and deep awareness of the significance of APEC and what this organization means for the future of our country that I speak today. Pride, because the annual APEC ministerial meeting will be held in Seattle, WA. The United States will host and chair that meeting of 750 delegates from the 15 Pacific rim economies, which are members of the organization.

The choice of Seattle as the location for this year's ministerial meeting is entirely appropriate. Seattle is a major port participating in U.S. trade with the Asia-Pacific region, and Washington State is the most trade-reliant State in the Nation. The people, communities, and businesses of Seattle have long recognized the importance of these economic and political relationships. When the APEC delegates arrive in State, they will know that they arrive as partners in a vital economic undertaking.

The resolution before us today urges President Clinton, Secretary of State Warren Christopher, and other U.S. Government representatives to use the United States' hosting and chairing of the ministerial meeting in Seattle as an opportunity to reaffirm U.S. commitment to the goals and mission of APEC.

The purpose of the organization is to strengthen regional ties among the economies of member nations by reducing trade and investment barriers through economic cooperation and policy coordination.

President Clinton has also chosen to use the APEC conference to show our Pacific partners that the U.S. values their friendship. The President will be meeting with the heads of state during the APEC conference. I applaud the President's decision to use this opportunity to send a message of strong U.S. commitment to building and strengthening all of our relationships in this region of the world.

The United States has a vested interest in helping to make APEC an effective regional economic organization.

Trade between the United States and other APEC members accounts for more than half of all U.S. two-way trade. The U.S. exported \$218 billion of goods and services to APEC members in 1992—an amount equal to 52 percent of the value of all U.S. exports last year.

Many nations in the Asia-Pacific region are undergoing rapid change—both politically and economically. The United States, as one country with economic and security interests throughout the region, should seize every opportunity to help shape policies that promote freer trade and greater political cooperation.

The resolution before us today was introduced by my colleague from Washington State, Congressman McDERMOTT. I commend Congressman McDERMOTT for his vision and his leadership in bringing this resolution to the floor and his work in making this conference a success, and I urge my colleagues to join us in supporting House Concurrent Resolution 113.

Mr. HAMILTON. Mr. Speaker, I rise in strong support of House Congressional Resolution 113 on the Asia Pacific Economic Cooperation [APEC]. There are good reasons for all Members of the House to support APEC's development and full U.S. involvement in it.

United States policy toward the Asia-Pacific region is rightly focused on three giants: Japan, China, and Korea. But a comprehensive and forward-looking U.S. policy toward the entire region is essential. In particular, the United States should fully support emerging regional cooperation on security and economic issues, such as APEC.

#### BACKGROUND

APEC was launched at a ministerial meeting in Australia in 1989. It now has 15 members: Australia, Brunei, Canada, China, Hong Kong, Indonesia, Japan, South Korea, Malaysia, New Zealand, Philippines, Singapore, Taiwan, Thailand, and the United States; APEC's principal aims are to:

Enable members to share information and perspectives on regional and global trade and investment issues;

Support a successful conclusion to the Uruguay Round of Trade Negotiations; and

Work toward the removal of impediments to trade within APEC and between APEC and the rest of the world;

These goals are in keeping with U.S. interests.

#### U.S. INTERESTS

APEC's 15 members represent a market of some 2 billion people, producing 50 percent of the world's economic output and 40 percent of the world's exports. Except for the EC and Mexico, all major United States trading partners are APEC members. Fifty percent of U.S. exports now go to APEC markets. That figure will undoubtedly rise as the people of that region become more affluent.

More than half of APEC's member economies are among the most successful in the world, maintaining for over 30 years growth

rates higher than any other region. This strong performance shows no sign of waning. APEC nations will likely be the world's top economic performers in the 21st century.

APEC provides the United States an opportunity to be a full partner in the economic growth of the Asia-Pacific region. It is also a unique forum for regular consultation with some of America's most important trading partners. A similar forum is not shared, for example, between the United States and its leading European trading partners.

#### APEC'S ACHIEVEMENTS

In just 4 years, APEC has made good progress.

It has established itself as the primary vehicle for Asia-Pacific economic cooperation. The convening of a leaders' meeting in Seattle this fall is testimony to the importance most regional leaders attach to APEC.

It has focused on the key issue of trade liberalization, likely to be a centerpiece of the Seattle meetings;

It has developed a network among the region's economic policymakers, unheard of even 5 years ago.

It has developed cooperative projects in trade and investment, human resources development, energy, telecommunications, transportation, tourism, and fisheries.

#### CHALLENGES FOR APEC

Despite its progress so far, APEC's future effectiveness cannot be taken for granted. Several issues need to be addressed.

First, APEC needs to be nurtured and strengthened. Members must avoid a lowest common denominator approach. While remaining open to new members, APEC should avoid becoming an unwieldy talk shop. It should adopt strategies to show that it can produce benefits for all trading nations within and outside APEC.

Second, APEC should remain an outward-looking and trade creating organization, and avoid moving in the direction of a trade bloc. APEC should respond quickly to the outcome of the Uruguay round, which could conclude by mid-December 1993. APEC could help the Asia Pacific reap the full benefits of a good outcome from the round of devise appropriate strategies for trade liberalization in the unfortunate event of its failure.

Third, APEC should develop strong links with the region's private sector. Otherwise, it risks becoming irrelevant to its major purpose, which is to promote economic growth.

#### U.S. POLICY

As the current chair of APEC and host of the APEC meetings in Seattle in November, the Clinton administration has made a strong commitment to APEC. Such a commitment is welcome and should remain a key element in U.S. policy toward the Asia Pacific. In the months ahead, U.S. policy should focus on several priorities.

First, sound relations with Japan and China must underpin United States Asia-Pacific policy and involvement in APEC. The two Asian giants are immensely important and any conflicts they have with the United States will adversely affect APEC and the region.

Second, the United States should push for a successful outcome of the Uruguay round and support APEC's efforts to promote trade liberalization in the Asia Pacific.

Third, a strong commitment to Asia-Pacific security will complement U.S. economic strategy. A U.S. military presence in the region contributes to stability, economic growth, and new markets for U.S. exports.

Fourth, the United States should seek to strengthen APEC, while accepting that it may not develop as quickly as the United States might like. It would be counterproductive for the United States to try to push APEC too far too fast.

Fifth, the United States should work for Mexico's early into APEC. Membership in APEC would reinforce Mexico's efforts to reform its economy and open its markets to foreign commerce.

Sixth, the U.S. business sector should be closely involved in all APEC-related work. It should be included in U.S. delegations to APEC meetings, where it can help advance U.S. interests.

#### CONCLUSION

The world's center of gravity is shifting toward the Asia-Pacific region. East Asia, in particular, will likely be the world's engine of growth in the 21st century.

Asia-Pacific countries are working together as never before. The formation of an Asia-Pacific economic community is by no means a pipedream. Our national interests require us to be fully engaged in these important developments. APEC offers a unique opportunity for us to do that and to be full partners with other Asia-Pacific countries in the region's economic progress.

I urge adoption of this resolution.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS], chairman of the subcommittee.

Mr. GIBBONS. Mr. Speaker, this particular resolution should be heartily endorsed by the Congress and the gentleman from Washington [Mr. McDERMOTT] should be praised for his leadership in bringing this to our attention, and for the leadership of the State of Washington and the city of Seattle for hosting this event. The United States is the chairman and is the host for his meeting.

The people who gather there will represent more than half of the people on Earth. This Pacific area now has more international trade from the United States in and out than any other area on Earth or any other trading block that we deal with. This Pacific area is an important area because most of the developing nations, those who are ready to take off and fly in the new economics of the world, lie in the Pacific region.

□ 1320

Such large nations as the fifth largest on Earth, Indonesia, is there, just one of the many names of nations that we sometimes overlook in our debate and in our discussions.

So, the APEC meeting in Seattle is an important event. America should lead. Our best interest is in this meeting. We have a responsibility in this meeting.

The future jobs of Americans depends upon the success of this area and of this meeting.

So, Mr. Speaker, this resolution should be adopted unanimously.

Mr. ROSTENKOWSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, to the distinguished chairman of the Committee on Ways and Means, the gentleman from Illinois [Mr. ROSTENKOWSKI], and the other appropriate committee chairs and subcommittee chairs, I rise today in support of House Concurrent Resolution 113, reaffirming the commitment of the United States to making the Asian-Pacific Economic Cooperation an effective regional economic organization.

Next month in Seattle, WA, the United States will host the fifth ministerial meeting of the Asian-Pacific Economic Cooperation.

APEC is a forum of 15 member economies from the Asia-Pacific region, including Japan, 6 ASEAN nations, China, Hong Kong, Taiwan, the Republic of Korea, Australia, and Canada.

Formed in 1989, APEC was created to provide a vehicle for constructive dialog on regional trade questions and economic cooperation. The meeting set for November will be the first time this organization has met in the United States.

The Pacific rim continues to be the most dynamic economic force in the world and will continue to strongly influence the U.S. economy in the coming years.

In 1992, transpacific trade totaled \$325 billion and currently 40 percent of U.S. trade and 2.3 million American jobs are linked to trade with Asia.

President Clinton, this past summer, shared with the leaders of Japan and Korea his vision for a new Pacific community.

There are many challenges before us in our economic relations with Asia.

APEC provides the opportunity to work through these issues.

To achieve this vision, we must engage actively and constructively in promoting economic opportunity and prosperity on both sides of the Pacific.

Mr. Speaker, I urge Members to support this resolution.

Mr. KIM. Mr. Speaker, I believe that the Asia Pacific Economic Cooperation Organization presents the United States with a great opportunity to expand trade between the United States and Pacific rim nations by reducing barriers to trade and increasing investment. I support House Concurrent Resolution 113 because it encourages U.S. leadership in this important regional trade organization and reaffirms our commitment to reducing the still significant barriers to trade and investment flows through Asia.

I urge the Clinton administration to recognize APEC as the cornerstone of our regional



strategy in the Pacific rim and hope that the administration will use the upcoming APEC ministerial and heads of state meeting in November to encourage all APEC members, particularly Japan and China, to pursue domestic policies aimed at reducing their remaining barriers to imported goods and investment flows. As exports have been responsible for a significant portion of recent U.S. economic growth and the Pacific rim is one of the most important U.S. export markets, the key to continued American economic growth lies in securing a level playing field, free of trade barriers, on which the nations of both regions can compete, expand, and prosper.

Mr. GILMAN. Mr. Speaker, I rise in support of House Concurrent Resolution 113, which promotes the Asian Pacific Economic Cooperation Organization. This resolution encourages U.S. leadership in this important regional trade organization and reaffirms our commitment to reducing the still significant barriers to trade and investment flows throughout Asia.

Secretary of State Warren Christopher has described APEC as the cornerstone of our regional strategy in the Pacific rim.

I would hope that the administration would use the upcoming APEC ministerial and heads of state meeting in November in Seattle to encourage all APEC members, particularly Japan and China, to pursue domestic policies aimed at reducing their remaining barriers to imported goods and investment flows.

Mr. DICKS. Mr. Speaker, next month Secretary of State Christopher will chair the Asia Pacific Economic Cooperation Fifth Ministerial meeting in Seattle, WA. Our State is honored to be able to host this exceedingly important event which will be attended by the President and the heads of state of the 15 members of APEC.

APEC was established in 1989 in recognition of the growing economic interdependence of the Pacific region and the enormous potential for economic growth into the 21st century for the region. The significance of our relations with the Pacific rim nations is reflected by the fact that over 40 percent of U.S. trade is now with Asia, totaling \$120 billion and accounting for 2.3 million American jobs. Over the last quarter century trade with this region has gone from one-third that with Latin America to more than three times our trade with our neighbors to the south, and almost 50 percent more than our trade with Western Europe.

APEC provides an important forum for the member nations to promote cooperation, resolve disputes in a nonconfrontational manner and assist in the President's vision of a New Pacific Community.

Among the specific items for the November 17-19 agenda are accelerated work on trade and investment by advancing a structure for trade and investment dialog and an agreed trade and investment framework, and steps to provide a greater role for the private sector in APEC.

This resolution provides the clear voice of the Congress in support of these efforts and other steps to strengthen APEC. By providing a united position from the U.S. Government the prospects for success in utilizing APEC as a leading means to promote mutual economic growth will be enhanced, and so I strongly commend this resolution to my colleagues.

Mr. KOPETSKI. Mr. Speaker, I am pleased to join the chairman of the Ways and Means Committee and my Pacific Northwest colleague JIM McDERMOTT in strong support of House Concurrent Resolution 113.

This timely resolution encourages the United States to take a leadership role in the Asia Pacific Economic Cooperation or APEC organization. Founded in 1989, APEC includes the United States, Canada, New Zealand, Australia, Japan, China; including Taiwan, South Korea, Hong Kong, and the ASEAN nations. APEC's primary function is to foster trade and investment ties among member nations. Importantly, the United States as Chair of APEC for 1993 is hosting the ministerial meeting in Seattle next month.

This resolution and U.S. membership in APEC is about jobs and growth in the United States. My congressional district and my State, Oregon, are worthy examples of APEC's importance to this Nation. Virtually every sector of Oregon's economy is involved in international trade. Today, one in five Oregon jobs is trade dependent and we know international trade jobs pay on average 17 percent more than non-trade jobs. In the last 10 years, Oregon has experienced a 102 percent increase in exports and a 15 percent increase in the number of export related jobs. According to the Oregon Employment Division, over 90 percent of Oregon's new jobs created in the 1990's will be related to international trade.

At the Port of Portland, over 85 percent of the exports leaving Oregon are headed for the Pacific rim. In 1992, over 200 container ships sailed into and from the Port of Portland; virtually all sailing between the United States and our Pacific rim neighbors. Interestingly, Oregon maintains a trade surplus, including with Japan.

Boeing, another major Oregon employer, exports 60 percent of its product and predicts the Chinese aircraft market will total between \$25 and \$35 billion at the turn of the century. Other Oregon firms like CH2M Hill, Weyerhaeuser, Nike, Avia and Hewlett Packard are involved successfully in the Pacific rim. Oregon agricultural exports to the Pacific rim continue to increase; products including potatoes, apples, grass seed, processed vegetables, onions, and wheat.

Mr. Speaker, APEC also represents an important political opportunity for this Nation. APEC is the only international organization to which China, Taiwan, and Hong Kong all belong. APEC is an important forum for the United States to engage China. Making money together helps to maintain peace, build a better understanding between cultures, politics and problems. A comprehensive China policy must include active participation by the United States in APEC.

I urge support for House Concurrent Resolution 113 and I am encouraged by the proactive message this legislation sends to our partners in the Pacific rim.

Mr. ACKERMAN. Mr. Speaker, I rise today to express my strong support for this resolution and to commend the distinguished gentleman from the State of Washington [Mr. McDERMOTT] for his efforts on this resolution and for bringing the Asia-Pacific Economic Cooperation [APEC] to the attention of the House.

Mr. Speaker, APEC is made up of 15 members: Australia, Brunei, Canada, China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Chinese Taipei (Taiwan), Thailand, and the United States. The APEC members constitute the United States' most important economic partners. During 1992, U.S. trade with the Pacific region totaled \$344 billion. That figure is 50 percent greater than our trade with nations across the Atlantic. On an aggregate level, U.S. trade with APEC constituted 54 percent of U.S. trade with the world. While our trade with Europe and the former Soviet Union stood at 24 percent.

APEC has progressed rapidly since the late 1980's when a number of countries began to discuss the usefulness of a multilateral economic forum in which to discuss regional economic development and growth. In 1991, at the Seoul ministerial meeting, APEC members began to flesh out the organization's commitment to more open trade and increasing economic collaboration. That same meeting also produced an agreement which allowed the three Chinas to join, bringing APEC's membership to its present level of 15. The 1992 ministerial in Thailand led to the establishment of a small secretariat in Singapore to organize and coordinate the increasing work of the group and to institutionalize it.

An Eminent Persons Group, which met for the first time in March of this year, was established, consisting of a prominent nongovernmental economics expert from 11 of the member countries, in order to give APEC a vision of Asia-Pacific trade at the turn of the century and to try to identify issues and obstacles to enhanced regional economic cooperation. Results from these discussions will be reported at this year's ministerial meeting in Seattle.

This year, with the United States as the Chair of APEC, it is altogether fitting that President Clinton should cite APEC as one of the building blocks of a new Pacific community. In order to emphasize to Americans the importance of the Asia-Pacific region to America's future, President Clinton has embraced the idea of a leaders meeting in Seattle to discuss what can be done to bring down trade barriers and create more economic opportunities for the entire region.

I believe that by approving this resolution we will add the voice of the Congress to that of the President in emphasizing that our economic future lies in the Asia-Pacific region. So I urge my colleagues to join me in supporting House Resolution 113 to recognize the contributions that APEC has made to liberalizing regional trade.

Mr. THOMAS of California. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 113.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. ROSTENKOWSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on House Concurrent Resolution 113, the concurrent resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### COMMEMORATING THE 60TH ANNIVERSARY OF THE UKRAINE FAMINE

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 140) expressing the sense of the Congress that the 60th anniversary of the Ukraine famine of 1932-33 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people as amended.

The Clerk read as follows:

H. CON. RES. 140

Whereas this year marks the 60th anniversary of the Ukraine famine of 1932-1933;

Whereas, within one year, an estimated 7 million to 10 million people starved to death in Ukraine because of forced collectivization and grain seizures from the rural population by the Government of the Soviet Union;

Whereas Public Law 99-180 established the Commission on the Ukraine Famine to conduct a study to expand the world's knowledge of the famine and to provide the American public with a better understanding of the former Soviet system by revealing the Soviet role in the Ukraine famine;

Whereas the Commission's report to Congress confirms that Communist dictator Joseph Stalin consciously employed the brutal policy of forced famine to repress the Ukrainian peasantry in order to suppress Ukrainian self-assertion;

Whereas, on February 7, 1990, the Central Committee of the Communist Party of Ukraine acknowledged that the Ukraine famine was artificially created by the policies of Stalin and his closest associates;

Whereas internationally accepted principles of human rights condemn the use of food as a political weapon;

Whereas the official observances of the Days of Sorrow and Remembrance of the Victims of the Imposed Famine were held for the first time this year on September 10 through 12 in Kiev, Ukraine; and

Whereas members of the Commission on the Ukraine Famine presented a copy of 4 volumes of their findings and conclusions, 10 volumes of archival material, and 200 audio cassettes of testimony from famine survivors to the Government of Ukraine following the official observances in Kiev: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) the victims of the Soviet-engineered Ukraine famine of 1932-1933 be solemnly remembered on its 60th anniversary;

(2) this anniversary underscores the hardship and inhumanity of life under the repressive regime of the Soviet Union;

(3) the Congress condemns the systematic disregard for human life, human rights, and human liberty that characterized the policies of the Government of the Soviet Union during the Ukraine famine of 1932-1933;

(4) the presentation of a copy of the findings and conclusions of the Commission on the Ukraine Famine to the Government of Ukraine, as well as the supplemental material, will assist in the dissemination of information about the Ukraine famine of 1932-1933, and thereby help to prevent similar future tragedies; and

(5) the manmade Ukraine famine is a graphic illustration of the unacceptable alternative to democracy and a free market economy, and therefore the United States should seek to help Ukraine and the other newly independent nations of the former Soviet Union as they transform their societies.

#### SEC. 2. TRANSMITTAL OF RESOLUTION.

The Clerk of the House of Representatives shall transmit a copy of this resolution to the President and the Secretary of State and request that the Secretary of State transmit a copy of the resolution to the Government of Ukraine.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. BERMAN] will be recognized for 20 minutes, and the gentleman from California [Mr. ROHRBACHER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution expresses the sense of the Congress that the 60th anniversary of the Ukraine famine of 1932-33 should serve as a reminder of the brutality of Stalin's repressive policies toward the Ukrainian people.

First, let me commend the original sponsor of this resolution, the gentleman from Michigan [Mr. LEVIN], for bringing this resolution to the attention of the House. I would also like to commend my friend from New York, the ranking minority member of the Committee on Foreign Affairs, who is an original cosponsor of House Concurrent Resolution 140.

This resolution is an appropriate expression by the Congress on the tragedy in Ukraine 60 years ago. At that time, because of the policies of forced collectivization and grain seizures followed by Joseph Stalin, an estimated 7 to 10 million people starved to death in the Ukraine, the breadbasket of the former Soviet Union. The policies that led to the famine were consciously implemented by Stalin as a means to suppress Ukrainian nationalism and self-expression.

Mr. Speaker, this resolution notes that for the first time since 1932, official observances of this horrible tragedy took place in Ukraine in Septem-

ber. At that time, materials collected by the Commission on the Ukraine Famine, which was created by Congress in 1985, were presented to the Government of the Ukraine in the hope that the dissemination of this material will help prevent any such tragedy from occurring again.

Mr. Speaker, I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. ROHRBACHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution, which commemorates a tragedy of 60 years ago, the artificial famine in the Ukraine which took the lives of from 5 to 10 million people.

Mr. Speaker, I share the concern of the sponsor of this measure, the gentleman from Michigan [Mr. LEVIN] and the ranking member of the Foreign Affairs Committee, the gentleman from New York [Mr. GILMAN] to insure that this anniversary is duly observed.

Mr. Speaker, this is the 60th anniversary of an historic event. In 1932 and 1933, 7 to 10 million victims were killed through starvation by the Communist dictatorship in Moscow.

Public Law 99-180 established a commission to study this historic event. They have, as my colleague has just stated, given the report to the Ukrainian government and to the Congress as well.

On February 7, another historic event happened. For the first time, the Central Committee of the Communist Party in the Ukraine acknowledged the crime of the famine, the Great Sorrow.

This sense-of-the-Congress resolution should help us establish that this tragedy, this human and historic event, will be remembered.

At the time of this 60th anniversary, it is incumbent upon the decent and democratic peoples of the world to at the very least try to understand what happened and try to glean some insight, perhaps some lesson, from this monstrous attack on human decency and on the lives of 7 to 10 million human beings in the Ukraine 60 years ago.

It was a holocaust a decade before Hitler's holocaust against the Jews, yet there was little reaction in the West to the tragic events that were going on, the mammoth loss of life, the monstrous loss of life that was going on in Ukraine over a 2-year time period.

We have seen that denial at that time, and we also witnessed historically the decades of denial by the Communists in our country and in other countries in the Western democracies that this event ever happened at all.

One of those we should hold at fault, not just the Communist bosses in Moscow who perpetrated this monstrous crime, but also none other than, I might add, the chief Moscow correspondent for the New York Times at



the time, Mr. Walter Duranty, who played it down. Here he was, an American citizen, supposedly there to inform the American people in the Western democracies of what was going on—of the wholesale genocide by starvation that was taking place—and instead this incredible crime was downplayed by this journalist, who then received, as a reward for his great journalism, the Pulitzer Prize, after denying the people of the world the right to know of the monstrous crime that was taking place, the crime that cost 5 to 10 million lives of innocent Ukrainians.

□ 1330

This journalist, yes, he received the Pulitzer Prize for the excellence of his work, and I believe it is time that the Pulitzer Prize committee insist that that prize be returned.

In our lifetime, Mr. Speaker, we have seen similar acts of silence on the part, not only of journalists, but of good, and decent, and democratic peoples in the Western democracies to things, the tragedies, that perhaps do not have 7 to 10 million people dying, but are equal tragedies; the holocaust in Cambodia, for example. We all knew what was taking place. Something was going on. Yet, during the holocaust in Cambodia, which took millions of lives of the Cambodian people, there was relative silence in the American press. There was relative silence here in the United States even as millions of people lost their lives. The great cultural revolution that swept through China, some people portrayed it as being a wonderful step forward, and now we know that hundreds of thousands of people were losing their lives to this vicious, ugly movement, Communist movement, on the mainland of China.

Mr. Speaker, this resolution calls for us to remember the horrors of the Ukraine of 60 years ago. Let us also remember the silence of 60 years ago on the part of the Western democracies and the denial over these decades by Communists and leftists in countries throughout the world who have refused to acknowledge this monstrous crime against humanity. And let us all, as we look back at this crime of 60 years ago, as this resolution suggests, vow to one another that we will not remain silent as people are sent to their death, whether it is in Communist China or whether it is in Fascist rightwing regimes that perhaps wave American flags when the American Ambassador arrives on the scene. But this resolution should strengthen our resolve as democratic peoples that we will stand for the values of decency and human-kind that our forefathers thought that America was all about.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Michi-

gan [Mr. LEVIN], the author of this resolution.

Mr. LEVIN. Mr. Speaker, I rise today to urge passage of House Concurrent Resolution 140, a resolution that recalls the brutality of Stalin's genocidal policies toward the Ukrainian people on the 60th anniversary of the Soviet-engineered Ukraine famine of 1932-33.

It is too little known that 60 years ago Communist dictator Joseph Stalin deliberately employed the ruthless policies of forced collectivization and grain seizures to suppress and politically neutralize the Ukrainian people. More than 7 million people were cruelly starved to death because of these repressive measures.

Just 1 month ago, the people of newly independent Ukraine officially commemorated this tragedy, as a nation, for the very first time. Thousands of Ukrainians gathered in Kiev, Ukraine, for 4 days of somber events marking the 60th anniversary of what historians have named the "harvest of sorrow." Elderly famine survivors traveled to Kiev and shared horrific firsthand accounts of suffering. They spoke of eating bark and weeds to survive, of the desolation of entire villages, and of Red Army soldiers going door-to-door among the peasantry, confiscating food and livestock. Survivors testified that the harvests in the early 1930's were good, and while innocents starved in the streets, Soviet soldiers guarded full storehouses of grain.

The official observances that were held in Kiev are significant because Stalin and his closest associates concealed the artificially created famine for decades. The mass starvation of millions graphically illustrates Ukraine's history of suffering under Soviet subjugation. Public recognition of the famine, including passage of House Concurrent Resolution 140, is vitally important to the new nation of Ukraine.

Ukrainian President Kravchuk declared September 12 a national day of mourning, and stressed that a free and democratic society will safeguard the Ukrainian people from future collective victimization. In the aftermath of the collapse of the Soviet Empire, the world is learning more and more about the harsh reality of life under a totalitarian regime. This resolution on the Ukraine famine serves as a reminder that the alternative to a democratic and free market society is unacceptable, and it presents Congress with an opportunity to reaffirm our commitment to helping Ukraine and the other former Soviet states as they proceed along the tumultuous path toward democracy and a free market economy.

House Concurrent Resolution 140 also supports action that will aid in disseminating information about the artificially created Ukraine famine. Following the official observances in Kiev, members of the Commission on the

Ukraine Famine, which Congress established in 1984 to study and expand the world's knowledge of the famine, presented their findings to the Government of Ukraine. The Commission presented 4 volumes of its conclusions, 10 volumes of archival material, and 200 audio cassettes of testimony from famine survivors. I believe we must continue to educate the world of the atrocities committed by Stalin, and I urge my colleagues to approve House Concurrent Resolution 140.

Mr. GILMAN. Mr. Speaker, it has been my pleasure to work with Chairman LEE HAMILTON to bring this resolution, commemorating the 60th anniversary of the Ukrainian famine, to the floor today. After considering it last Thursday, October 7, the Committee on Foreign Affairs voted unanimously to report the legislation with a perfecting amendment I had proposed to update a portion of its text.

Mr. Speaker, I want to thank the gentleman from Michigan [Mr. LEVIN] for introducing this resolution. I also express my appreciation to him for inviting Members who share his concern to see that the 60th anniversary of the famine in Ukraine be duly commemorated and to join in sponsoring this legislation.

Mr. Speaker, for several years I served as a member of the Commission on the Ukraine Famine, which was established by this Congress to study the 1932-33 famine and the role that the Communist leadership of the former Soviet Union played in creating it. I have always considered it an honor and a privilege to have served on that body, which was so successful not only in documenting the truth about what happened in the Ukraine 60 years ago, but in educating the American public about the famine and its many, many victims.

Today, the great nation of Ukraine is no longer under the Soviet Communist yoke. It is free, and, with the help of its friends among the more developed nations of the world, it is working to build a future of democracy and prosperity. Still, while looking to the future, Ukraine cannot ignore its past or those millions of Ukrainians who lost their lives during the seven decades of soviet rule.

The Government of Ukraine therefore designated September 10 through 12 as the "Days of Sorrow and Remembrance of the Victims of the Imposed Famine," in honor of the many millions who were purposely starved to death by Joseph Stalin and his communist regime just 60 years ago.

Mr. Speaker, the resolution before us today, House Congressional Resolution 140, expresses the sense of this Congress that the millions of victims of the Ukraine famine should indeed be remembered at this time, 60 years after their deaths. It also notes that members of the Commission on the Ukraine Famine participated in the ceremonies held in Ukraine in September, presenting to the new Government their copies of the Commission's final report and archival materials.

Mr. Speaker, I believe this resolution is a timely commemoration of the 1932-33 famine in Ukraine and its victims. I again want to thank the gentleman from Michigan for his work to bring it before the House today, and I hope that all of my colleagues will join in ensuring its passage.

Mr. ROHRABACHER. Mr. Speaker, I have no further requests for time.

Mr. BERMAN. Mr. Speaker, I, too, have no further requests for time, and I yield back the balance of my time.

Mr. ROHRABACHER. I yield back the balance of my time, Mr. Speaker.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from California [Mr. BERMAN] that the House suspend the rules and agree to the concurrent resolution House Concurrent Resolution 140, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 140, as amended, which was just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California.

There was no objection.

#### CATAWBA INDIAN TRIBE OF SOUTH CAROLINA LAND CLAIMS SETTLEMENT ACT OF 1993

Mr. RICHARDSON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2399) to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the tribe, and for other purposes.

The Clerk read as follows:

Senate Amendments:

Page 11, lines 1 and 2, strike out [entitled] and insert: *eligible*

Page 11, line 5, strike out [entitled] and insert: *eligible*

Page 50, strike out all after line 23 over to and including line 8 on page 51 and insert:

(c) LAWS AND REGULATIONS OF THE UNITED STATES.—The provisions of any Federal law enacted after the date of enactment of this Act, for the benefit of Indians, Indian nations, tribes, or bands of Indians, which would affect or preempt the application of the laws of the State to lands owned by or held in trust for Indians, or Indian nations, tribes, or bands of Indians, as provided in this Act and the South Carolina State Implementing Act, shall not apply within the State of South Carolina, unless such provision of such subsequently enacted Federal law is specifically made applicable within the State of South Carolina.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 20 minutes, and the gen-

tleman from Wyoming [Mr. THOMAS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. RICHARDSON].

#### GENERAL LEAVE

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RICHARDSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2399 settles the Catawba Indian Tribe's land claims in the State of South Carolina and provides for the restoration of the tribe's federally recognized status.

The Catawba Tribe of Indians of South Carolina was one of the tribes terminated by statute during the 1950's. Most of the terminated tribes have been restored by statute. The Catawba Tribe had the additional complication of a land claim involving 144,000 acres.

After years of negotiating, the tribe, the State and the landowners reached a settlement which is memorialized in H.R. 2399. The essence of the settlement is the tribe is restored to federally recognized status and the tribe's claim to the lands are extinguished.

Mr. Speaker, the Senate amended the bill which the House passed on September 27. There are only two amendments. One amendment clarifies that the health benefits which the Catawba are receiving under the bill and puts them on a par with other tribes across the land. The second provision deals with laws which are enacted subsequent to the act and was changed so that language similar to that in the Maine Indian Claims Settlement Act of 1980 is included. The language from the Maine Act has withstood the test of time.

The committee agrees with both of these changes and urges the House to pass this measure.

Some have been critical of the concessions made by the tribe in this matter, but it is a settlement which was negotiated over a period of years by parties who were well aware of the consequences.

Tribal sovereignty is something that the committee is committed to preserving, protecting, and defending. Part of self-governance is making hard choices as the tribe has done in this instance. They have compromised in an effort to obtain this settlement. This bill is not a model for future settlements and is not intended to be a precedent for other tribes. The bill reflects choices made by the Catawba and the State of South Carolina in a unique settlement of claims under a British treaty and the Non-Intercourse Act.

The committee will respect the choices the tribe has made.

Mr. Speaker, I urge my colleagues to support this measure and support the Senate amendments.

□ 1340

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS of Wyoming. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from New Mexico [Mr. RICHARDSON] has adequately explained the provisions of H.R. 2399, which settles what could have proved to be a costly and protracted lawsuit between the Catawba Nation and some 60,000 landholders in the State of South Carolina.

The other body amended H.R. 2399 after we passed it on September 27. As the chairman has explained, these amendments were technical in nature and do not effect the real substance of the legislation. I therefore do not oppose adopting the amendments as enacted by the other body. As I have done previously, Mr. Speaker, I urge my colleagues to support passage of H.R. 2399, as amended.

Mr. RICHARDSON. Mr. Speaker, the gentleman from South Carolina [Mr. SPRATT] has been instrumental in seeing that this bill is passed and has been responsive to his constituents, the Congress, his State, and the Indian tribe. This gentleman has worked tirelessly to make sure that the bill becomes reality before the October deadline.

I yield 4 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding this time to me, and I thank him for his support of this bill, and also I thank the gentleman from Wyoming [Mr. THOMAS] for his support.

Mr. Speaker, I should acknowledge before the House before I say anything that in a suit brought by the Catawba Indian Tribe I was a named defendant. I was named some 12 years ago, before I was elected a Member of Congress.

I have been advised by the Ethics Committee that I should not vote upon this bill, that even though I can speak upon it and speak to other Members about it, I should not cast my own vote on it, and I will not. I will abstain from voting when the voice vote or whatever vote that is sought or taken comes momentarily.

On behalf of some 100,000 constituents who are affected by this bill, let me say that they will indeed be grateful to see this bill pass. Both the Catawbas and other citizens in this area will be tremendously relieved to have this cloud lifted from them that has been cast by this claim for the past 15 to 16 years. The House has previously passed this bill, and I am pleased to see it brought forth again to be passed finally and enacted because it will bring



justice to a claim that has been pending literally since 1840.

Mr. Speaker, I thank the chairman of the subcommittee very much for bringing this bill to the floor, and I thank the gentleman from Wyoming [Mr. THOMAS] also for his support.

Mr. RICHARDSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from New Mexico [Mr. RICHARDSON] that the House suspend the rules and concur in the Senate amendments to H.R. 2399.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### DESIGNATING PORTIONS OF THE MAURICE RIVER, NJ, AS COMPONENTS OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

Mr. VENTO. Mr. Speaker, I move that the House suspend the rules and pass the bill (H.R. 2650) to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers System, as amended.

The Clerk read as follows:

H.R. 2650

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—  
(1) the Maurice River and its tributaries, Menantico Creek, the Manumuskin River, and Muskee Creek, are eligible for inclusion into the National Wild and Scenic Rivers System, the segments and their classifications being as follows—

(A) the Maurice River, lower segment, from the United States Geological Survey Station at Shellpile to Route 670 Bridge at Mauricetown, approximately 7.0 miles, as a recreational river;

(B) the Maurice River, middle segment, from Route 670 Bridge at Mauricetown to 3.6 miles upstream (at drainage ditch just upstream of Fralinger Farm), approximately 3.8 miles as a scenic river;

(C) the Maurice River, middle segment, from the drainage ditch just upstream of Fralinger Farm to one-half mile upstream from the United States Geological Survey Station at Burcham Farm, approximately 3.1 miles, as a recreational river;

(D) the Maurice River, upper segment, from one-half mile upstream from the United States Geological Survey Station at Burcham Farm to the south side of the Millville sewage treatment plant, approximately 3.6 miles, as a scenic river;

(E) the Menantico Creek, lower segment, from its confluence with the Maurice River to the Route 55 Bridge, approximately 1.4 miles, as a recreational river;

(F) the Menantico Creek, upper segment, from the Route 55 Bridge to the base of the Impoundment at Menantico Lake, approximately 6.5 miles, as a scenic river;

(G) the Manumuskin River, lower segment, from its confluence with the Maurice River to 2.0 miles upstream, as a recreational river;

(H) the Manumuskin River, upper segment, from 2.0 miles upstream from its confluence with the Maurice River to headwaters near Route 557, approximately 12.3 miles, as a scenic river; and

(I) the Muskee Creek from its confluence to the Pennsylvania Reading Seashore Line Railroad bridge, approximately 2.7 miles, as a scenic river;

(2) a resource assessment of the Maurice River and its tributaries, Menantico Creek, the Manumuskin River, and the Muskee Creek shows that the area possesses numerous outstandingly remarkable natural, cultural, science, and recreational resources that are significant at the local, regional, and international levels, including rare plant and animal species and critical habitats for birds migrating to and from the north and south hemispheres; and

(3) a river management plan for the river system has been developed by the Cumberland County Department of Planning and Development and adopted by the Maurice River Township, Commercial Township, and the City of Millville that would meet the requirements of section 6(c) of the Wild and Scenic Rivers Act, the City of Vineland has adopted a master plan which calls for river planning and management and is in the process of adopting zoning ordinances to implement their plan, and Buena Vista Township in Atlantic County has adopted a land use plan consistent with the Pinelands Comprehensive Plan which is more restrictive than the Cumberland County local river management plan.

(b) PURPOSES.—The purposes of this Act are to—

(1) declare the importance and irreplaceable resource values of the Maurice River and its tributaries to water quality, human health, traditional economic activities, ecosystem integrity, biotic diversity, fish and wildlife, scenic open space and recreation and protect such values through designation of the segments as components of the National Wild and Scenic Rivers System; and

(2) recognize that the Maurice River System will continue to be threatened by major development and that land use regulations of the individual local political jurisdictions through which the river segments pass cannot alone provide for an adequate balance between conservation of the river's resources and commercial and industrial development; and

(3) recognize that segments of the Maurice River and its tributaries additional to those designated under this Act are eligible for potential designation at some point in the near future.

#### SEC. 2. DESIGNATION.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding the following new paragraphs at the end thereof:

"( ) THE MAURICE RIVER, MIDDLE SEGMENT.—From Route 670 Bridge at Mauricetown to 3.6 miles upstream (at drainage ditch just upstream of Fralinger Farm), approximately 3.8 miles to be administered by the Secretary of the Interior as a scenic river.

"( ) THE MAURICE RIVER, MIDDLE SEGMENT.—From the drainage ditch just upstream of Fralinger Farm to one-half mile upstream from the United States Geological Survey Station at Burcham Farm, approximately 3.1 miles, to be administered by the

Secretary of the Interior as a recreational river.

"( ) THE MAURICE RIVER, UPPER SEGMENT.—From one-half mile upstream from the United States Geological Survey Station at Burcham Farm to the south side of the Millville sewage treatment plant, approximately 3.6 miles, to be administered by the Secretary of the Interior as a scenic river.

"( ) THE MENANTICO CREEK, LOWER SEGMENT.—From its confluence with the Maurice River to the Route 55 Bridge, approximately 1.4 miles, to be administered by the Secretary of the Interior as a recreational river.

"( ) THE MENANTICO CREEK, UPPER SEGMENT.—From the Route 55 Bridge to the base of the impoundment at Menantico Lake, approximately 6.5 miles, to be administered by the Secretary of the Interior as a scenic river.

"( ) MANUMUSKIN RIVER, LOWER SEGMENT.—From its confluence with the Maurice River to a point 2.0 miles upstream, to be administered by the Secretary of the Interior as a recreational river.

"( ) MANUMUSKIN RIVER, UPPER SEGMENT.—From a point 2.0 miles upstream from its confluence with the Maurice River to its headwaters near Route 557, approximately 12.3 miles, to be administered by the Secretary of the Interior as a scenic river.

"( ) MUSKEE CREEK, NEW JERSEY.—From its confluence with the Maurice River to the Pennsylvania Seashore Line Railroad Bridge, approximately 2.7 miles, to be administered by the Secretary of the Interior as a scenic river."

#### SEC. 3. MANAGEMENT.

(a) DUTIES OF SECRETARY.—The Secretary of the Interior shall manage the river segments designated as components of the National Wild and Scenic Rivers System by this Act through cooperative agreements with the political jurisdictions within which such segments pass, pursuant to section 10(e) of the Wild and Scenic Rivers Act, and in consultation with such jurisdictions, except that publicly-owned lands within the boundaries of such segments shall continue to be managed by the agency having jurisdiction over such lands.

(b) AGREEMENTS.—(1) Cooperative agreements for management of the river segments referred to in subsection (a) shall provide for the long-term protection, preservation, and enhancement of such segments and shall be consistent with the comprehensive management plan for such segments to be prepared by the Secretary of the Interior pursuant to section 3(d) of the Wild and Scenic Rivers Act and with the local river management plans prepared by appropriate local political jurisdictions in conjunction with the Secretary of the Interior.

(2) The Secretary of the Interior, in consultation with appropriate representatives of local political jurisdictions and the State of New Jersey, shall review local river management plans described in paragraph (1) to assure that their proper implementation will protect the values for which the river segments described in section 2 were designated as components of the National Wild and Scenic Rivers System. If after such review the Secretary determines that such plans and their implementing local zoning ordinances meet the protection standards specified in section 6(c) of the Wild and Scenic Rivers Act, then such plans shall be deemed to constitute "local zoning ordinances" and each township and other incorporated local jurisdiction covered by such plans shall be

deemed to constitute a "village" for the purposes of section 6(c) (prohibiting the acquisition of lands by condemnation) of the Wild and Scenic Rivers Act.

(3) The Secretary of the Interior shall biennially review compliance with the local river management plans described in paragraph (1) and shall promptly report to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate any deviation from such which would result in any diminution of the values for which the river segment concerned was designated as a component of the National Wild and Scenic Rivers System.

(c) **PLANNING ASSISTANCE.**—The Secretary of the Interior may provide planning assistance to local political subdivisions of the State of New Jersey through which flow river segments that are designated as components of the National Wild and Scenic Rivers System, and may enter into memoranda of understanding or cooperative agreements with officials or agencies of the United States or the State of New Jersey to ensure that Federal and State programs that could affect such segments are carried out in a manner consistent with the Wild and Scenic Rivers Act and applicable river management plans.

(d) **SEGMENT ADDITIONS.**—The Secretary of the Interior is encouraged to continue to work with the local municipalities to negotiate agreement and support for designating those segments of the Maurice River and its tributaries which were found eligible for designation pursuant to Public Law 100-33 and were not designated pursuant to this Act (hereinafter referred to as "additional eligible segments"). For a period of 3 years after the date of enactment of this Act, the provisions of the Wild and Scenic Rivers Act applicable to segments included in section 5 of that Act shall apply to the additional eligible segments. The Secretary of the Interior is directed to report to the appropriate congressional committees within 3 years after the date of enactment of this Act on the status of discussions and negotiations with the local municipalities and on recommendations toward inclusion of additional river segments into the National Wild and Scenic Rivers System.

(e) **APPROPRIATIONS.**—For the purposes of the segment described by subsection (a), there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The **SPEAKER pro tempore.** Pursuant to the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 20 minutes, and the gentleman from Utah [Mr. HANSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

#### GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill now under consideration.

The **SPEAKER pro tempore.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2650 is a bill introduced by the gentleman from New Jer-

sey [Mr. HUGHES] who has been diligent in his efforts to protect the natural resources of that State.

The bill would designate as components of the National Wild and Scenic Rivers System eight segments of the Maurice River and its tributaries, in southern New Jersey, amounting to about 35.4 river miles, that have been studied and found both eligible and suitable for inclusion in the National Wild and Scenic Rivers System.

The lands through which these river segments flow function as critical migration-related habitat for shorebirds, songbirds, waterfowl, raptors, rails, and fish, and have been identified as being both nationally and hemispherically significant. They also afford opportunities for outdoor recreation by large numbers of people, and clearly merit recognition and protection.

The bill provides for management of the designated river segments through cooperative agreements with local governments, consistent with the Wild and Scenic Rivers Act, and for local control of land acquisition through appropriate local zoning ordinances, as provided in section 6(c) of the act.

The bill also authorizes planning assistance to local governments, encourages work toward similar designation of other studied river segments, and continues the applicability of the Wild and Scenic Rivers Act to those additional segments.

Mr. Speaker, the Natural Resources Committee approved this bill without amendments. It is a most worthwhile measure, which deserves the approval of the House.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as fully explained by Chairman VENTO, H.R. 2650 would designate 35 miles of the Maurice River as part of the Wild and Scenic Rivers System.

The area to be designated passes through five cities and townships and the Park Service has been very sensitive to these local governments and has gone to great lengths to gain their support. I commend the Park Service for including local opinions and their efforts to preserve resources that are truly supported by local entities.

Mr. Speaker, the one concern I do have is the potential impact this designation will have on the sand mining industry in and around the Maurice River corridor. This concern has come to my attention rather late and I am not attempting to sandbag the chairman but I believe this concern needs to be heard. I urge Mr. HUGHES to take these concerns seriously and find a way to both preserve these river resources and accommodate the sand mining industry. As is often the case, these resource consumers are concerned about

preserving these important resources, but also believe that they can conduct certain businesses in a responsible way that does not destroy the river and its resources.

I simply urge Mr. HUGHES and the Park Service to continue to work with the local interests and to do their best to address all concerns along this river corridor.

Mr. Speaker, I yield back the balance of my time.

Mr. VENTO. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. HUGHES] to speak on the measure he is advancing and championing today.

Mr. HUGHES. Mr. Speaker, I rise in support of H.R. 2650, legislation I introduced to designate some 35 miles of the Maurice River and its tributaries as components of the National Wild and Scenic Rivers System.

New Jersey is perhaps our country's most urbanized State, and I think that many in this body and in the public generally form their impressions of it from stopovers at Newark Airport or trips on the New Jersey Turnpike. Yet, Mr. Speaker, there are still many portions of our State that are unspoiled, with waters that can still be called "pristine." The Maurice River, its tributaries, and the surrounding land comprise one such area.

The Maurice River is one of New Jersey's most magnificent treasures. The river forms an integral part of the Pinelands and Delaware Bay ecosystems, provides fresh water to the region, and is rich in the unique history and culture of southern New Jersey. The region provides important habitat for a wide variety of animals, birds, and plants, and is well known for its fishing, boating, and recreational activities. There are also many sites of cultural and historical interest along the river corridor including a prehistoric native American settlement and several intact villages and towns.

In 1987, I, along with Senators BILL BRADLEY and FRANK LAUTENBERG, sponsored legislation authorizing the National Park Service to study the eligibility of these rivers and their tributaries for inclusion into the national system. Only the most select free-flowing rivers that have outstanding natural, cultural, or recreational values make up the Wild and Scenic System. I am pleased that after 5 years of study, the National Park Service found that all segments of the river were eligible for designation under the Wild and Scenic System.

Wild and scenic designation assures the long-term protection of unique natural resources through sound, locally implemented river management plans. Specifically, my bill requires that



management of the designated segments will be at the local level by cooperative agreements between the Secretary of the Interior and local municipalities. These agreements will be consistent with local river management plans which are almost exclusively the product of local thinking, based on the input of local residents, businesses, and elected officials. Authority for implementation of the plan will lie solely at the local level.

This bill does not authorize any new land acquisition. Under the law, lands cannot be acquired by the Secretary of the Interior for wild and scenic areas within any incorporated municipality which has a valid zoning ordinance which conforms with the purposes of the legislation. As the river management plans have already been adopted by the local municipalities and, in some cases, incorporated into local zoning ordinances, and meet the goals of the Wild and Scenic Act, condemnation of property will be avoided. This facet of the overall plan was key to gaining local approval.

It is also critical to note that while this bill seeks to maintain and conserve important river resources, it simultaneously recognizes that the river is also the economy of the region. Thus it seeks to protect traditional economic activities such as oystering, crabbing, fishing, recreation, and tourism.

The local communities have shown their commitment to the preservation of this very special resource. Indeed, all five affected municipalities have passed resolutions in support of wild and scenic designation. These endorsements enable the designation of approximately 35 miles, encompassing almost the entire study site. Such strong support at the local level is unique and reflects many years of hard work from the grassroots level to the Federal Government.

Certainly, we would not be where we are today without the tireless efforts, enthusiasm and interest of several local officials and citizens. Jane Galetto and Don Fauerbach of Citizens United To Protect the Maurice River and Its Tributaries really began this process and it is a testament to their hard work and forward looking thinking that this bill is before you today. I would also like to pay tribute to Jennifer Lookabaugh, deputy director of the Cumberland County Board of Freeholders, and Steve Kehs, executive director of the county's department of planning and development, whose efforts to build local consensus and develop a management plan for the river contributes in large measure to the success we are realizing today. It is the tireless efforts of Jane, Don, Jennifer, Steve, and other local citizens and officials that has brought us this far.

I think it is also important to mention the fine efforts of the National

Park Service, and in particular, Patty Weber of their regional office. They have really done an outstanding job in working with the affected communities to ensure a full understanding of the national system by all participants.

Finally, I would like to thank the chairman and ranking Republican of the Natural Resources Committee and the chairman and ranking member of the National Parks, Forests and Public Lands Subcommittee. I would especially like to praise the fine work of Chairman VENTO and his staff—particularly Stan Sloss. Chairman VENTO has known that this bill is one of my highest priorities and has worked hard to ensure that the House acted on it during this session. I thank him for his efforts.

Last year, Congress passed my legislation to preserve 129 miles of the Great Egg Harbor River as New Jersey's first wild and scenic river. In considering H.R. 2650 we have an opportunity to afford another unique resource—in our country's most developed State—the protection it deserves so that our children and their children can enjoy its beauty.

I am sure that if cities and suburbs across the country could go back 100 years, they would have done it differently. There is no question that they would have taken advantage of available planning and management tools to offer similar protection to their natural resources. While we cannot undo that which has already been done, we can act now to protect the Maurice River and preserve south Jersey's natural heritage. I am sure that if we pass this bill today, our actions will be looked upon in the years ahead by the citizens of New Jersey and the rest of the Nation as one of the more significant conservation actions that this body has accomplished.

I ask my colleagues to join me, the National Park Service, and the whole New Jersey delegation—all of whom have cosponsored H.R. 2650—in supporting protection for the Maurice River. I urge you to pass this legislation.

□ 1350

Mr. VENTO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from New Jersey [Mr. HUGHES] for his work and dedication on this. The gentleman has really been masterful in drawing together the disparate issues and elements in this and making it work. It is difficult in an urbanized State because there are so many conflicting interests, but the gentleman has done good service, along with the resources he outlined, and I appreciate his kind comments about our efforts on the committee and the members.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is

on the motion offered by the gentleman from Minnesota [Mr. VENTO] that the House suspend the rules and pass the bill, H.R. 2650, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### MIDDLE EAST PEACE FACILITATION ACT OF 1993

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1487) entitled the "Middle East Peace Facilitation Act of 1993," as amended.

The Clerk read as follows:

S. 1487

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Middle East Peace Facilitation Act of 1993".

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) the Palestine Liberation Organization has recognized the State of Israel's right to exist in peace and security; accepted United Nations Security Council resolutions 242 and 338; committed itself to the peace process and peaceful coexistence with Israel, free from violence and all other acts which endanger peace and stability; and assumed responsibility over all Palestine Liberation Organization elements and personnel in order to assure their compliance, prevent violations and discipline violators;

(2) Israel has recognized the Palestine Liberation Organization as the representative of the Palestinian people;

(3) Israel and the Palestine Liberation Organization signed a Declaration of Principles on Interim Self-Government Arrangements on September 13, 1993, at the White House;

(4) the United States has resumed a bilateral dialogue with the Palestine Liberation Organization; and

(5) in order to implement the Declaration of Principles on Interim Self-Government Arrangements and facilitate the Middle East peace process, the President has requested flexibility to suspend certain provisions of law pertaining to the Palestine Liberation Organization.

#### SEC. 3. AUTHORITY TO SUSPEND CERTAIN PROVISIONS.

(a) IN GENERAL.—Subject to subsection (b), the President may suspend any provision of law specified in subsection (d). Any such suspension shall cease to be effective on January 1, 1994, or such earlier date as the President may specify.

#### (b) CONDITIONS.—

(1) CONSULTATION.—Before exercising the authority provided in subsection (a), the President shall consult with the relevant congressional committees.

(2) PRESIDENTIAL CERTIFICATION.—The President may exercise the authority provided in subsection (a) only if the President certifies to the relevant congressional committees that—

(A) it is in the national interest of the United States to exercise such authority; and

(B) the Palestine Liberation Organization continues to abide by all the commitments described in paragraph (4).

(3) REQUIREMENT FOR CONTINUING PLO COMPLIANCE.—Any suspension under subsection (a) of a provision of law specified in subsection (d) shall cease to be effective if the President certifies to the relevant congressional committees that the Palestine Liberation Organization has not continued to abide by all the commitments described in paragraph (4).

(4) PLO COMMITMENTS DESCRIBED.—The commitments referred to in paragraphs (2) and (3) are the commitments made by the Palestine Liberation Organization—

(A) in its letter of September 9, 1993, to the Prime Minister of Israel;

(B) in its letter of September 9, 1993, to the Foreign Minister of Norway; and

(C) in, and resulting from the implementation of, the Declaration of Principle on Interim Self-Government Arrangements signed on September 13, 1993.

(c) EXPECTATION OF CONGRESS REGARDING ANY EXTENSION OF PRESIDENTIAL AUTHORITY.—The Congress expects that any extension of the authority provided to the President in subsection (a) will be conditional on the Palestine Liberation Organization—

(1) renouncing the Arab League boycott of Israel;

(2) urging the nations of the Arab League to end the Arab League boycott of Israel; and

(3) cooperating with efforts undertaken by the President of the United States to end the Arab League boycott of Israel

(d) PROVISIONS THAT MAY BE SUSPENDED.—The provisions that may be suspended under the authority of subsection (a) are the following:

(1) Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) as it applies with respect to the Palestine Liberation Organization or entities associated with it.

(2) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) as it applies with respect to the Palestine Liberation Organization or entities associated with it.

(3) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202).

(4) Section 37 of the Bretton Woods Agreement Act (22 U.S.C. 286w) as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund. As used in this paragraph, the term "other official status" does not include membership in the International Monetary Fund.

(e) RELATION TO OTHER AUTHORITIES.—This section supersedes section 578 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Public Law 103-87).

(f) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—As used in this section, the term "relevant congressional committees" means—

(1) the Committee on Foreign Affairs, the Committee on Banking, Finance and Urban Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. BERMAN] will be recognized for 20 minutes, and the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House will have a historic opportunity to facilitate what is a truly extraordinary and optimistic moment in history: the advance of peace in the Middle East. That handshake on the White House lawn marked the beginning of what we all hope will be a new era for the people of the Middle East. The Middle East Peace Facilitation Act of 1993 places the United States squarely where it should be—doing all that it can to continue and build on the momentum of the peace accords.

This legislation provides a limited, temporary, and conditional waiver of restrictions in United States law that would seriously impede the ability of Israel and the PLO to proceed with negotiating and implementing their landmark peace agreement. With this temporary waiver, until January 1, 1994, restrictions are lifted that would hinder the PLO from negotiating with the Israelis or would impede the ability of international organizations to provide concrete help to make this accord work.

This help, this financial assistance, is absolutely critical, because it is critically important that Palestinians begin to see concrete improvements in their economic well-being and quality of life. They must have a visible stake in the peace process if it is to succeed.

The granting of this waiver is conditional on the PLO abiding by the commitments Chairman Arafat made in writing prior to last month's White House signing ceremony.

Just to repeat those commitments: The commitment in the letter that the PLO recognizes the right of the State of Israel to exist in peace and security; that the PLO accepts U.N. Security Council Resolutions 242 and 338; that the PLO commits itself to the Middle East peace process and to a peaceful resolution of the conflict between the two sides; and declares that all outstanding issues relating to permanent status will be resolved through negotiations.

The Committee on Foreign Affairs approved an amendment to the Senate-passed bill that alerts the PLO of Congress' expectation that prior to any further waiver of this kind being approved, the PLO will actively work for an end to the Arab boycott of Israel.

I must point out, this is language which indicates that the next time a waiver is sought, and this waiver only goes until January 1, the next time a waiver is sought, we want to see PLO comments and statements directly related to calling for an end to the Arab boycott. Contrary to the letter put out to Members of this body by the National Association of Arab-Americans, it does not make this particular waiver conditional on that act.

The reason that we felt compelled to put language in this bill that dealt with the Arab boycott at all was a direct response to remarks made by a leading member of the PLO executive committee, Yasser Abid Rabbo, that Arab nations should not establish diplomatic relations or end the boycott with Israel until there is a "complete withdrawal from all the Arab territories and Jerusalem."

This kind of linkage strikes at the spirit of the accord and undermines the mutual confidence and trust so vital to making this agreement succeed.

□ 1400

It is also counterproductive. A key component of the peace agreement is the development of joint Palestinian-Israeli economic cooperation. The Arab boycott prevents the emergence of the regional marketplace that will be vital to the viability of the manufacturing and industry at the core of peace and stability.

Many of us entertained the idea of making this particular waiver conditional on PLO actions along those lines but decided we wanted nothing to occur which would prevent the facilitation of the meetings and the delivery of assistance which has been agreed to by the various parties.

Israel has embarked on a journey that we all hope will lead to lasting peace and security. The United States must play a constructive and helpful role in doing whatever we can to help Israel and the Palestinians on their road towards stability and prosperity for all the peoples of the region. The Middle East Peace Facilitation Act of 1993 is an important first step and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is an unusual piece of legislation that we are considering today. Just a few months ago none of us would have believed that provisions benefiting the Palestine Liberation Organization would be pending before this House of Representatives.

Yet the events of the past few weeks have enabled us to, hopefully, see what the future can hold in the Middle East. Just yesterday the PLO's central council ratified the declaration of principles by a vote of 63 to 8 with 9 abstentions. If peace is on the horizon, then let us cooperate today to facilitate its arrival.

The Middle East Peace Facilitation Act was adopted by the Senate just a few weeks ago. I regret that this legislation, drafted in haste, has not been the subject of hearings before our House Foreign Affairs Committee, or any of its subcommittees. I have serious questions about the costs, the implications of these provisions, as well as the future administration proposals,



but we have been requested by the administration to act swiftly.

Since the declaration of principles signed by the State of Israel and the Palestine Liberation Organization goes into effect tomorrow, the President wants to be able to sign this measure into law by Friday of this week.

Many of us have serious concerns and trepidations about what the future holds for peace in the Middle East. We acknowledge that PLO Chairman Arafat has committed his organization to Israel's recognition and its compliance with Security Council Resolutions 242 and 338, and that the PLO has included itself in the peace process and to peaceful coexistence with Israel. But the proof is in the doing, which is what this legislation calls for and monitors. It is another version of former President Ronald Reagan's trust-but-verify notion, albeit a weaker one.

This legislation does not require the Palestine Liberation Organization to revoke those parts of its charter which call for the destruction of Israel, though that would be hailed as an important step in this arduous process of negotiation.

The agreement itself is also silent about the continued Arab boycott of Israel, which is why this legislation, unlike the Senate version, contains an important boycott component. The legislation before us includes a provision that notes the expectation of Congress that any extension of Presidential authority is conditional upon a renunciation by the PLO of the Arab League boycott, its urging those nations who persist in their participation to cease doing so, and to cooperate with the President's efforts to have the boycott ended.

What this legislation does do is to permit the President to waive certain provisions of law pertaining to the PLO. One would allow the PLO to establish an office in Washington to facilitate its work. Other provisions pertain to U.S. contributions to international organizations.

Because this legislation contains certain continued compliance safeguards, and requires future waivers in order to remain in effect, I offer my support today. It is not unqualified, or wildly enthusiastic support, since I am deeply troubled by what may lie ahead. But an opportunity for peace in the region needs our endorsement. This legislation expires on January 1, 1994, in order to closely monitor future developments. The short date not only ensures that Congress will have the opportunity to monitor what takes place, but to enable the Congress to act accordingly with future waivers.

Accordingly, I urge my colleagues to support consideration of this measure, mindful that this is just one step in a long and difficult process for peace in the Middle East.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield 4 minutes and 30 seconds to the distinguished gentleman from New York [Mr. SCHUMER], a member of the Committee on Foreign Affairs.

Mr. SCHUMER. Mr. Speaker, I thank the gentleman and certainly appreciate his hard work on this legislation. However, I must reluctantly oppose it.

Mr. Speaker, I was there, as most of us were, at the time when the agreement was signed. It was truly a moving event. However, the road to peace has just begun and, in my mind, I have a great deal of doubts whether the PLO is either able or willing to carry out the peace that was signed just a few weeks ago.

Can they renounce and effectively renounce their long history of terrorism? Have we forgotten about Leon Klinghoffer and U.S. Ambassador Cleo Noel? We must remember them.

That does not mean that we should not go forward, but it must mean that we should be careful. And it strikes me as extremely anomalous that at the very same time that we are lifting the restrictions in preparation of sending aid to the PLO, we do not hear a peep about ending the economic boycott, not only of Israel but of any American firm that does business with Israel. Is it not strange?

Here this country is going to send aid to a group that was labeled terrorist but a few months ago and, at the same time, not hold their feet to the fire and say at the very least, "Show your good will and at least renounce the boycott and urge other Arab nations to do so."

Instead, we have a senior PLO official, Yasar Abed Rabbo, saying, "The boycott must remain in place until Israel settles claims to Jerusalem." And if that should occur and claims are settled amicably, what would be the next step after that and the next step after that?

President Clinton has been very forthright in asking the PLO to do certain things to renounce the terrorism that Hamas has done, to move to lift the boycott. He has been greeted with deafening silence. My fear is that is we do not speak up in this body, the PLO and others will feel that they can continue to talk peace to the West and act as if there is no peace within the Middle East itself.

Therefore, it was my view that this legislation should have had, instead of just an admonition, a conditionality: No aid until the PLO lifts or speaks about lifting the boycott and urges the other Arab nations to do the same.

That is not going to happen in this bill, although I must say I have a great deal of respect for the gentleman from California and the fact that there is a January 1 cutoff which gives us a chance, if we have not seen, we have heard from many, "Oh, watch in the next few months, you are going to see these things," if we do not, I hope that

my colleagues will join me in introducing that conditionality.

No one expects peace to come overnight, but no one also expects all the give to be on Israel's side and none of the give, after the date of the signing, to be on the PLO's side.

Renouncing the boycott would be a simple first step to seeing whether, as the gentleman from New York [Mr. GILMAN] has said, whether the PLO's actions will continue to mirror the document.

Mr. Speaker, in my heart, as somebody who has a close and longstanding love of the State of Israel, second only, I suppose, to the love of my own country, I hope for peace. I pray for peace. But I think all of us must go into this with our eyes open.

The PLO has said one thing and done another in the Middle East time and time and time again.

□ 1410

It is our job to make sure that their actions speak louder than their words.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to make a few comments. First, I think it is appropriate to put into the RECORD the specific provisions that this bill is waiving, and I want to say in the context of the comments of the gentleman from New York [Mr. SCHUMER] that I agree with his concern. As we hope for the future, it is impossible to forget about the past, but I do want to remind him and all my other colleagues, this bill is a temporary waiver and it is a conditional waiver. It is not a repeal, it is not a permanent waiver.

By January 1, 1994, assuming that this bill passes and is accepted by the other House and is signed by the President by January 1, 1994, new legislation will have to be in place to allow the provisions of this bill that are being temporarily waived to continue to be waived.

This body was not insensitive to the anomaly of this peace process moving forward and still hearing comments about the Arab boycott, which are not only inconsistent, I think, with the ideals behind the declaration of principles and the mutual recognition statement, but which, once again, are a case of pulling away the prize. One can only recall that all the moderate Arab countries talked for year after year at the point where the Israelis would free settlements in the West Bank and Gaza, at that point the Arab boycott would be repealed. Prime Minister Rabin has come just that, and still we have an Arab boycott, not just a primary boycott but an effort to leverage American companies not to do business with Israel.

However, for the record, the provisions that are being waived are section 307 of the Foreign Assistance Act, which reduces the U.S. share to international organizations and programs

by a proportional amount of money for projects whose purpose is to provide benefits to the PLO or entities associated with it;

Section 114 of the Department of State Authorization Act for fiscal years 1984-85, which reduces the U.S. contributions to the United Nations or other international organizations and conferences by 25 percent of the money budgeted by the United Nations or the other international organizations for projects whose primary purpose is to provide benefits to the PLO or associated entities;

Section 1003 of the Foreign Relations Act for fiscal year 1988-89, which prohibited taking or receiving money from the PLO, thereby stopping them from renting office space, for example, in the United States;

Section 37 of the Bretton Woods Agreement, which stated U.S. policy that the PLO should not be given membership in the Fund or be given observer status or any other official status. It is given such status, this would result in serious diminution of U.S. support.

The PLO, under this waiver, would be allowed to gain observer status, but not membership, in the IMF. Nothing in this bill authorizes the declaration of an embassy or any other official capacity associated with statehood by virtue of any of these waivers.

Mr. HAMILTON. Mr. Speaker, I rise in support of S. 1487, as amended.

Mr. Speaker, the White House handshake and agreement between Israeli Prime Minister Rabin and PLO Chairman Arafat on September 13, 1993, have transformed the Middle East.

The Israeli-PLO statement of principles and agreement on mutual recognition mark the beginning of a historic process of reconciliation between the Israelis and Palestinians. U.S. stakes in this process are enormous.

Success holds the promise of transforming the Middle East, from its historic state of conflict and economic deprivation to one of peace and prosperity.

In this new environment, old restrictions, and legislation from a previous era no longer apply.

The administration has asked Congress to waive, for a period of time, restrictions relating to the PLO. The legislation before us today is an administration request.

#### WHAT DOES THE LEGISLATION DO?

This legislation will provide the President with the flexibility he needs to respond to the new challenges presented by the Israeli-PLO agreement.

The administration would have the authority to suspend certain provisions of law until January 1, 1994. These include:

A provision of the Foreign Assistance Act which prohibits U.S. voluntary contributions to international organizations for projects of benefit to the PLO;

A provision of the State Department Authorization Act, fiscal years 1984 and 1985, which requires proportional withholding of U.S. assessed contributions to the United Nations for programs for the PLO;

A provision of the Foreign Relations Act, fiscal years 1988 and 1989, that prohibits the PLO from maintaining an office in the United States; and

A provision of the Bretton Woods Agreement Act stating that it is U.S. policy that the PLO not be given observer status or membership status in the IMF.

This legislation is intended to bring U.S. law up to date with the historic changes in the world. However, this legislation does not repeal any provisions of law. It provides the President only temporary authority—until January 1, 1994—to waive these provisions.

The Congress will have to revisit this issue in the next session, and that is appropriate. Both the administration and the Congress will want to weigh the PLO's conduct during that time.

I would also like to point out to my colleagues that this Presidential waiver authority is discretionary, not mandatory. The PLO is not off the hook. We want it to fulfill its commitments and promises of September 13, and we will watch closely.

If the President determines before January 1, 1994, that the PLO is no longer meeting the commitments it has made, the waiver authority will cease.

#### WHY THIS LEGISLATION MATTERS

The administration is seeking this legislation on an urgent basis to allow the United States to carry out its role as a sponsor and facilitator of the Middle East peace talks.

If we do not pass this legislation, we will severely complicate the continuation of the Washington-based talks between the Israeli and Palestinian negotiating teams on the many complicated details involved in implementation of the agreements signed last month.

There is a consensus that the success of the Israeli-PLO agreement will depend significantly on the early provision of financial assistance to the Palestinians and the PLO's ability to show Palestinians some concrete benefits of peace. Failure to pass this legislation would create an obstacle to U.S. participation in this effort.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from California [Mr. BERMAN] that the House suspend the rules and pass the Senate bill, S. 1487, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks on the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### COURT ARBITRATION AUTHORIZATION ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1102) to make permanent chapter 44 of title 28, United States Code, relating to arbitration, as amended.

The Clerk read as follows:

H.R. 1102

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Court Arbitration Authorization Act of 1993".

#### SEC. 2. REMOVAL OF REPEAL.

Section 906 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 651 note), and the item relating to such section in the table of contents contained in section 3 of such Act, are repealed.

#### SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 905 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 651 note) is amended—

(1) in the first sentence by striking "for the fiscal year" and all that follows through "4 fiscal years."; and

(2) in the third sentence by striking "except that" and all that follows through "this Act".

#### SEC. 4. ARBITRATION TO BE ORDERED IN ALL DISTRICT COURTS.

(a) AUTHORIZATION OF ARBITRATION.—Section 651(a) of title 28, United States Code, is amended to read as follows:

"(a) AUTHORITY.—Each United States district court shall authorize by local rule the use of arbitration in civil actions, including adversary proceedings in bankruptcy, in accordance with this chapter."

(b) ACTIONS REFERRED TO ARBITRATION.—Section 652(a) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by striking "and section 901(c)" and all that follows through "651" and inserting "a district court"; and

(B) in subparagraph (B) by striking "\$100,000" and inserting "\$150,000"; and

(2) in paragraph (2) by striking "\$100,000" and inserting "\$150,000".

(c) CERTIFICATION OF ARBITRATORS.—Section 656(a) of title 28, United States Code, is amended by striking "listed in section 658".

(d) REMOVAL OF LIMITATION.—Section 658 of title 28, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 44 of title 28, United States Code, are repealed.

#### SEC. 5. CONFORMING AMENDMENT.

Section 901 of the Judicial Improvements and Access to Justice Act (28 U.S.C. 652 note) is amended by striking subsection (c).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.



The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1102 permanently reauthorizes court-sponsored arbitration in the Federal courts. A successful pilot project for 20 Federal district courts was authorized in 1988 and will expire next month. I was pleased to learn of the success of the pilot programs and am pleased that we are considering legislation to continue and extend Federal court arbitration.

Under this legislation, Federal district courts are required to develop, by local rule, mandatory or voluntary arbitration programs. The dollar limit for actions to be referred to mandatory arbitration is raised from \$100,000 to \$150,000. The bill continues to provide that all persons subject to mandatory arbitration may request a full trial at the conclusion of the arbitration proceedings.

I congratulate Congressman BILL HUGHES, chairman of the Subcommittee on Intellectual Property and Judicial Administration, for working diligently to facilitate access to justice in an efficient yet fair manner. I also comment the ranking subcommittee member, CARLOS MOORHEAD, for his efforts on this bill.

Any alternative that provides litigants with an option which reduces expense or delay is worthy of our support. I urge my colleagues to support the continuation of this program.

Mr. Speaker, I reserve the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I rise in support of H.R. 1102, the Court Arbitration Authorization Act of 1993, which will require all Federal district courts to adopt local rules for arbitration, to be mandatory or voluntary in the discretion of the court.

In the last several years, the Subcommittee on Intellectual Property and Judicial Administration, as part of its courts jurisdiction, has devoted a significant amount of its time to looking at the use of arbitration in the Federal courts. In this regard, I would like to commend the chairman of the subcommittee, the gentleman from New Jersey [Mr. HUGHES], chairman of the Subcommittee on Intellectual Property and Judicial Administration of the Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS], the chairman of the Committee on the Judiciary, and the gentleman from New York [Mr. FISH], the ranking Republican member of the Committee on the Judiciary, for their leadership on this legislation.

Mr. Speaker, as the gentleman from Texas has indicated, the 10 mandatory and the 10 voluntary arbitration programs currently authorized are set to expire in November of this year.

The testimony at the subcommittee's recent hearing on arbitration strongly

favored not only reauthorizing the existing programs, but authorizing all Federal courts to set up arbitration programs. Such an approach is consistent with the findings of the Federal Judicial Center's study of the 10 mandatory court-annexed arbitration programs in which they found that these programs are providing increased options to litigants in a fair manner, while reducing costs and time to disposition as well as court caseloads.

In addition, there is every indication that arbitration is far more cost-effective and indeed preferred by lawyers and litigants, for cases that do not involve large sums of money, especially when contrasted to the more costly option of taking these cases to trial for a final resolution. Mr. Speaker, H.R. 1102 is a good bill and I urge my colleagues' support for it.

Mr. Speaker, I reserve the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HUGHES], the distinguished chairman of the Subcommittee on Intellectual Property and Judicial Administration of the Committee on the Judiciary.

Mr. HUGHES. Mr. Speaker, I rise in support of the Court Arbitration Authorization Act of 1993.

The existing authorization for pilot court annexed arbitration in the Federal system was enacted in 1988 and expires on November 19, 1993.

The 1988 legislation identified 10 pilot districts for mandatory pilot programs and directed the Judicial Conference to identify 10 other districts for voluntary programs. In this context, "mandatory" means that once a case has been identified for arbitration, the parties do not have the right to refuse to participate.

H.R. 1102, as introduced, would have removed the sunset in the legislation and authorize all Federal courts to adopt, in their discretion, local rules for arbitration to be either mandatory or voluntary.

Our review of the pilot programs revealed that the pilot projects in the mandatory courts were meeting their goals of:

First, providing options to litigants;

Second, reducing costs and time of litigation; and

Third, reducing the burdens on the courts.

We also determined that the mandatory programs were far more successful than the voluntary programs, and that the dollar limit for mandatory programs should be raised.

H.R. 1102 directs that all district courts provide by local rule arbitration programs of some form. It increases the maximum amount in controversy for mandatory referral to \$150,000. The record of the pilot programs clearly establishes that mandatory programs have worked well, and voluntary pro-

grams have not. For this reason, the Committee on the Judiciary strongly recommends that all district courts select certain categories of cases for mandatory referral.

In doing so, I would say that the mandatory designation for these programs is misleading because there is a great flexibility in this mandatory process. First of all, arbitration can be used only for cases with potential money damages of under \$150,000. Also, many cases are exempt from referral under the existing law, and local courts are allowed to choose those categories of cases which are most suitable for referral. Finally and most significantly, all cases are subject to trial de novo. Given this fact, mandatory arbitration might more accurately be called non-binding arbitration.

Our Federal courts are experiencing tremendous backlogs in their civil dockets. These backlogs are adding not only delay, but expense. It behooves us to make this modest adjustment in the civil process and allow for arbitration options designed at the local level. In fact, with the difficulty of getting civil cases to trial due to the great increase in criminal dockets in the Federal court system, this bill might aptly be named the Access to Civil Justice Act.

I urge the Members' vote for the Court Arbitration Authorization Act of 1993.

□ 1420

I want to thank the chairman of the full committee and the ranking Republican, the gentleman from New York, Mr. FISH, as well as my colleague, the gentleman from California, Mr. CARLOS MOORHEAD, for their work on this most important legislation. This may be the only bill that will pass in this Congress that really provides increased access to the Federal courts. I urge my colleagues to pass it.

Mr. MOORHEAD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 1102, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### PATENT AND TRADEMARK OFFICE AUTHORIZATION ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2632) to authorize appropriations for the Patent and Trademark Office in

the Department of Commerce for fiscal year 1994, as amended.

The Clerk read as follows:

H.R. 2632

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Patent and Trademark Office Authorization Act of 1993".

#### SEC. 2. AUTHORIZATION OF AMOUNTS AVAILABLE TO THE PATENT AND TRADEMARK OFFICE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Patent and Trademark Office for salaries and necessary expenses the sum of \$103,000,000 for fiscal year 1994, to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund established under section 10101 of the Omnibus Budget Reconciliation Act of 1990 (35 U.S.C. note).

(b) **FEES.**—There are also authorized to be made available to the Patent and Trademark Office for fiscal year 1994, to the extent provided in advance in appropriation Acts, such sums as are equal to the amount collected during such fiscal year from fees under title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 and following).

#### SEC. 3. AMOUNTS AUTHORIZED TO BE CARRIED OVER.

Amounts appropriated or made available pursuant to this Act may remain available until expended.

#### SEC. 4. ADJUSTMENT OF TRADEMARK FEES.

Effective on the date of the enactment of this Act, the fee under section 31(a) of the Trademark Act of 1946 (15 U.S.C. 1113(a)) for filing an application for the registration of a trademark shall be \$245. Any adjustment of such fee under the second sentence of such section may not be effective before October 1, 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, H.R. 2632 authorizes \$103 million for the activities of the Patent and Trademark Office for fiscal year 1994. This money is generated by patent and trademark fees, and from amounts deposited in the Patent and Trademark Office fee surcharge fund created by the 1990 Budget Act. The legislation also provides an increase in the trademark application fee from \$210 to \$245.

This bill does not include the limitation on exchange agreements, which has been part of past reauthorization bills. We made this decision base don the PTO's assurance that it will not exercise its exchange authority in a manner which avoids Federal procurement policy or uses noncompetitive procedures. The experience of the current fiscal year and new leadership at the PTO generates has renewed hope that a policy of competition will prevail at that agency. The Judiciary Committee,

as always, will use its oversight to monitor closely the use of exchange authority by the PTO.

I appreciate the work of Congressman BILL HUGHES, chairman of the Subcommittee on Intellectual Property and Judicial Administration, and Congressman CARLOS MOORHEAD, the ranking subcommittee member, for their cooperation in bringing this legislation forward. I urge the Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MOORHEAD. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. FISH], the ranking minority member of the full committee.

Mr. FISH. Mr. Speaker, I thank my colleague for yielding me the time.

Mr. Speaker, I rise in support of the three bills being brought to the floor today by the Judiciary Committee. I would like to commend our chairman, the gentleman from Texas [Mr. BROOKS], for his prompt action on this legislation. I would also like to commend the chairman of the subcommittee, the gentleman from New Jersey [Mr. HUGHES], and the ranking member, the gentleman from California [Mr. MOORHEAD], for all of the work they have done in processing these bills. They should also be thanked for the leadership they have shown in bringing the Patent and Trademark Office into the 21st century. Twelve years ago that Office was not something to be proud of but today it ranks with the very best in the world and this is due, in no small part, to the hard work and oversight of the Intellectual Property and Judicial Administration Subcommittee.

One last point, Mr. Speaker, I continue to receive, as I am sure other Members do, letters from constituents complaining about how long it takes to receive a patent when filed in Japan. A Japanese inventor can file in the United States and receive his patent in 18 months or less. On the other hand, a United States inventory filing in Japan may wait as much as 7 years. I hope that this matter will be corrected, either through the harmonization meetings that are presently taking place or through the General Agreement on Tariffs and Trade [GATT].

In any case, Mr. Speaker, the legislation before us today is important and I urge a favorable vote.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. FISH. Certainly I yield to my friend and colleague, the gentleman from Texas.

Mr. BROOKS. Mr. Speaker, I understand that 47 percent of the patents issued by the United States are to Japanese patent holders. I wonder if the disparity between the period of time in which we consider granting those and the time that they take in Japan to

grant such patents to our inventors might not be rectified, and if we might see if we could do something about that. Maybe we could have ours translated into Sanskrit or something before we consider them.

Mr. FISH. I certainly think the gentleman is right that the number of patents approved probably is due in part to the dispatch and the swiftness by which we authorize and process patents as compared to the processing in Japan. It is my understanding that the processing by the Japanese is quite different from ours, and that is why I think it is important that the harmonization meetings that are currently going on address this issue. And if they can do it, I think we should encourage them as much as possible, because the benefits obviously will accrue to U.S. inventors who want their patents processed.

Mr. BROOKS. If the gentleman will yield further, if they do not remedy that in the discussions, I think Congress ought to, and I will be delighted to work with the gentleman on that effort.

Mr. FISH. I thank the chairman.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. HUGHES], the chairman of the subcommittee.

Mr. HUGHES. Mr. Speaker, I rise in support of H.R. 2632, the Patent and Trademark Office Authorization Act of 1993. The purpose of H.R. 2632 is to authorize appropriations for the Patent and Trademark Office for fiscal year 1994 and to approve an increase in the trademark application fees beyond that permitted by present statutory authority.

The bill authorizes appropriations for the Patent and Trademark Office in the amount of \$103,000,000 to be derived from the deposits in the Patent and Trademark Office fee surcharge fund established under section 10101 of the Omnibus Budget Reconciliation Act of 1990.

The Patent and Trademark Office is now fully funded by user fees and the bill authorizes the expenditure of all fees collected, subject to advance appropriations.

The bill also provides for an increase in the trademark application fees. The fees will increase from \$210 to \$245. For a number of years, the Patent and Trademark Office operated the Trademark Office at a surplus and has not needed to raise the trademark fees beyond the cost-of-living increase. The surplus has now been depleted. In addition, the accounting system of the Patent and Trademark Office has changed to charge the Trademark Office for more of the overhead expenses in line with actual use. The increase was worked out with interested groups including the International Trademark Association.

I urge adoption of this bill.



I want to thank again the chairman of the full committee for moving this expeditiously and the ranking Republican, the gentleman from New York [Mr. FISH], as well as my colleague and ranking Republican on the subcommittee, the gentleman from California [Mr. MOORHEAD], for his excellent work. It is a good bill, and I urge my colleagues to support it.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2632, the Patent and Trademark Office authorization for fiscal year 1994. The Patent and Trademark Office performs a service that is vital to the industrial strength and the economic well-being of our country. As has been pointed out by the gentleman from New Jersey, this legislation provides for a modest increase over last year's budget and the increase in trademark fees has been worked out with the private sector.

I would like to commend the chairman of the subcommittee, Mr. HUGHES, for his continued leadership in this important area. I also would like to thank the chairman of the full committee, the gentleman from Texas [Mr. BROOKS], and the ranking member, the gentleman from New York [Mr. FISH], for their guidance and support of this legislation. Mr. Speaker, I am not aware of any opposition to this bill and urge a "yes" vote in favor of H.R. 2632.

□ 1430

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 2632, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### COPYRIGHT ROYALTY TRIBUNAL REFORM ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2840) to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2840

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Copyright Royalty Tribunal Reform Act of 1993".

#### SEC. 2. COPYRIGHT ARBITRATION ROYALTY PANELS.

(a) ESTABLISHMENT AND PURPOSE.—Section 801 of title 17, United States Code, is amended as follows:

(1) The section designation and heading are amended to read as follows:

**"§ 801. Copyright arbitration royalty panels: establishment and purpose";**

(2) Subsection (a) is amended to read as follows:

**"(a) ESTABLISHMENT.**—The Librarian of Congress, upon the recommendation of the Register of Copyrights, is authorized to appoint and convene copyright arbitration royalty panels."

(3) Subsection (b) is amended—

(A) by inserting "PURPOSES.—" after "(b)";

(B) in the matter preceding paragraph (1), by striking "Tribunal" and inserting "copyright arbitration royalty panels";

(C) in paragraph (2)—

(i) in subparagraph (A), by striking "Commission" and inserting "copyright arbitration royalty panels"; and

(ii) in subparagraph (B), by striking "Copyright Royalty Tribunal" and inserting "copyright arbitration royalty panels";

(D) in paragraph (3), by striking "In determining" and all that follows through the end of the paragraph; and

(E) in paragraph (4) by striking "to determine" and all that follows through "chapter 10" and inserting "and to determine the distribution of such payments."; and

(4) by amending subsection (c) to read as follows:

**"(c) RULINGS.**—The Librarian of Congress, upon the recommendation of the Register of Copyrights, may, before a copyright arbitration royalty panel is convened, make any necessary procedural or evidentiary rulings that would apply to the proceedings conducted by such panel."

(b) MEMBERSHIP AND PROCEEDINGS.—Section 802 of title 17, United States Code, is amended to read as follows:

**"§ 802. Membership and proceedings of copyright arbitration royalty panels"**

**"(a) COMPOSITION OF COPYRIGHT ARBITRATION ROYALTY PANELS.**—A copyright arbitration royalty panel shall consist of 3 arbitrators selected by the Librarian of Congress pursuant to subsection (b).

**"(b) SELECTION OF ARBITRATION PANEL.**—Not later than 10 days after publication of a notice initiating an arbitration proceeding under section 804, and in accordance with procedures specified by the Register of Copyrights, the Librarian of Congress shall, upon the recommendation of the Register of Copyrights, select 2 arbitrators from lists of arbitrators provided to the Librarian by parties participating in the arbitration and by professional arbitration associations or such similar organizations as the Librarian shall select. The 2 arbitrators so selected shall, within 10 days after their selection, choose a third arbitrator from the same lists, who shall serve as the chairperson of the arbitrators. If such 2 arbitrators fail to agree upon the selection of a third arbitrator, the Librarian of Congress shall promptly select the third arbitrator.

**"(c) ARBITRATION PROCEEDINGS.**—Copyright arbitration royalty panels shall conduct arbitration proceedings, in accordance with such procedures as they may adopt, for the purpose of making their determinations in carrying out the purposes set forth in section 801. The arbitration panels shall act on the basis of a fully documented written record, prior decisions of the Copyright Royalty Tribunal, prior copyright arbitration

panel determinations, and rulings by the Librarian of Congress under section 801(c). Any copyright owner who claims to be entitled to royalties under section 111, 116, or 119, or any interested copyright party who claims to be entitled to royalties under section 1006, may submit relevant information and proposals to the arbitration panels in proceedings applicable to such copyright owner or interested copyright party, and any other person participating in arbitration proceedings may submit such relevant information and proposals to the arbitration panel conducting the proceedings. The parties to the proceedings shall bear the entire cost thereof in such manner and proportion as the arbitration panels shall direct.

**"(d) REPORT TO THE LIBRARIAN OF CONGRESS.**—Not later than 180 days after publication of the notice initiating an arbitration proceeding, the copyright arbitration royalty panel conducting the proceeding shall report to the Librarian of Congress its determination concerning the royalty fee or distribution of royalty fees, as the case may be. Such report shall be accompanied by the written record, and shall set forth the facts that the arbitration panel found relevant to its determination.

**"(e) ACTION BY LIBRARIAN OF CONGRESS.**—Within 60 days after receiving the report of a copyright arbitration royalty panel under subsection (d), the Librarian of Congress, upon the recommendation of the Register of Copyrights, shall adopt or reject the determination of the arbitration panel. The Librarian shall adopt the determination of the arbitration panel unless the Librarian finds that the determination is arbitrary. If the Librarian rejects the determination of the arbitration panel, the Librarian shall, before the end of that 60-day period, and after full examination of the record created in the arbitration proceeding, issue an order setting the royalty fee or distribution of fees, as the case may be. The Librarian shall cause to be published in the Federal Register the determination of the arbitration panel, and the decision of the Librarian (including an order issued under the preceding sentence). The Librarian shall also publicize such determination and decision in such other manner as the Librarian considers appropriate. The Librarian shall also make the report of the arbitration panel and the accompanying record available for public inspection and copying.

**"(f) JUDICIAL REVIEW.**—Any decision of the Librarian of Congress under subsection (e) with respect to a determination of an arbitration panel may be appealed, by any aggrieved party who would be bound by the determination, to the United States Court of Appeals for the District of Columbia Circuit, within 30 days after the publication of the decision in the Federal Register. If no appeal is brought within such 30-day period, the decision of the Librarian is final, and the royalty fee or determination with respect to the distribution of fees, as the case may be, shall take effect as set forth in the decision. The pendency of an appeal under this paragraph shall not relieve persons obligated to make royalty payments under sections 111, 115, 116, 118, 119, or 1003 who would be affected by the determination on appeal to deposit the statement of account and royalty fees specified in those sections. The court shall have jurisdiction to modify or vacate a decision of the Librarian only if it finds, on the basis of the record before the Librarian, that the Librarian acted in an arbitrary manner. If the court modifies the decision of the Librarian, the court shall have jurisdiction to enter its own determination with respect to the

amount or distribution of royalty fees and costs, to order the repayment of any excess fees, and to order the payment of any underpaid fees, and the interest pertaining respectively thereto, in accordance with its final judgment. The court may further vacate the decision of the arbitration panel and remand the case for arbitration proceedings in accordance with subsection (c).

**"(g) ADMINISTRATIVE MATTERS.—"**

**"(1) DEDUCTION OF COSTS FROM ROYALTY FEES.—**The Librarian of Congress and the Register of Copyrights may, to the extent not otherwise provided under this title, deduct from royalty fees deposited or collected under this title the reasonable costs incurred by the Library of Congress and the Copyright Office under this chapter. Such deduction may be made before the fees are distributed to any copyright claimants.

**"(2) POSITIONS REQUIRED FOR ADMINISTRATION OF COMPULSORY LICENSING.—**Section 307 of the Legislative Branch Appropriations Act, 1994, shall not apply to employee positions in the Library of Congress that are required to be filled in order to carry out section 111, 115, 116, 118, or 119 or chapter 10."

**(c) ADJUSTMENT OF COMPULSORY LICENSE RATES.—**Section 803 of title 17, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 8 of such title, are repealed.

**(d) INSTITUTION AND CONCLUSION OF PROCEEDINGS.—**Section 804 of title 17, United States Code, is amended as follows:

(1) Subsection (a) is amended to read as follows:

"(a)(1) With respect to proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in sections 115 and 116, and with respect to proceedings under subparagraphs (A) and (D) of section 801(b)(2), during the calendar years specified in the schedule set forth in paragraphs (2), (3), and (4), any owner or user of a copyrighted work whose royalty rates are specified by this title, established by the Copyright Royalty Tribunal before the date of the enactment of the Copyright Royalty Tribunal Reform Act of 1993, or established by a copyright arbitration royalty panel after such date of enactment, may file a petition with the Librarian of Congress declaring that the petitioner requests an adjustment of the rate. The Librarian of Congress shall, upon the recommendation of the Register of Copyrights, make a determination as to whether the petitioner has such a significant interest in the royalty rate in which an adjustment is requested. If the Librarian determines that the petitioner has such a significant interest, the Librarian shall cause notice of this determination, with the reasons therefor, to be published in the Federal Register, together with the notice of commencement of proceedings under this chapter.

"(2) In proceedings under section 801(b)(2)(A) and (D), a petition described in paragraph (1) may be filed during 1995 and in each subsequent fifth calendar year.

"(3) In proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in section 115, a petition described in paragraph (1) may be filed in 1997 and in each subsequent tenth calendar year.

"(4)(A) In proceedings under section 801(b)(1) concerning the adjustment of royalty rates as provided in section 116, a petition described in paragraph (1) may be filed at any time within 1 year after negotiated licenses authorized by section 116 are terminated or expire and are not replaced by subsequent agreements.

"(B) If a negotiated license authorized by section 116 is terminated or expires and is

not replaced by another such license agreement which provides permission to use a quantity of musical works not substantially smaller than the quantity of such works performed on coin-operated phonorecord players during the 1-year period ending March 1, 1989, the Librarian of Congress shall, upon petition filed under paragraph (1) within 1 year after such termination or expiration, convene a copyright arbitration royalty panel. The arbitration panel shall promptly establish an interim royalty rate or rates for the public performance by means of a coin-operated phonorecord player of non-dramatic musical works embodied in phonorecords which had been subject to the terminated or expired negotiated license agreement. Such rate or rates shall be the same as the last such rate or rates and shall remain in force until the conclusion of proceedings by the arbitration panel, in accordance with section 802, to adjust the royalty rates applicable to such works, or until superseded by a new negotiated license agreement, as provided in section 116(b)."

(2) Subsection (b) is amended—

(A) by striking "subclause" and inserting "subparagraph";

(B) by striking "Tribunal" the first place it appears and inserting "Copyright Royalty Tribunal or the Librarian of Congress";

(C) by striking "Tribunal" the second and third places it appears and inserting "Librarian";

(D) by striking "Tribunal" the last place it appears and inserting "Copyright Royalty Tribunal or the Librarian of Congress"; and

(E) by striking "(a)(2), above" and inserting "subsection (a) of this section".

(3) Subsection (c) is amended by striking "Tribunal" and inserting "Librarian of Congress".

(4) Subsection (d) is amended—

(A) by striking "Chairman of the Tribunal" and inserting "Librarian of Congress"; and

(B) by striking "determination by the Tribunal" and inserting "a determination".

(5) Section 804 is further amended by striking subsection (e).

(e) REPEAL.—Sections 805 through 810 of title 17, United States Code, and the items relating to such sections in the table of sections at the beginning of chapter 8 of such title, are repealed.

(f) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 8 of title 17, United States Code, is amended by striking the items relating to sections 801 and 802 and inserting the following:

"801. Copyright arbitration royalty panels: establishment and purpose.

"802. Membership and proceedings of copyright arbitration royalty panels."

**SEC. 3. JUKEBOX LICENSES.**

(a) REPEAL OF COMPULSORY LICENSE.—Section 116 of title 17, United States Code, and the item relating to section 116 in the table of sections at the beginning of chapter 1 of such title, are repealed.

(b) NEGOTIATED LICENSES.—(1) Section 116A of title 17, United States Code, is amended—

(A) by redesignating such section as section 116;

(B) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(C) in subsection (b)(2) (as so redesignated) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(D) in subsection (c) (as so redesignated)—

(i) in the subsection caption by striking "ROYALTY TRIBUNAL" and inserting "ARBITRATION ROYALTY PANEL";

(ii) by striking "subsection (c)" and inserting "subsection (b)"; and

(iii) by striking "the Copyright Royalty Tribunal" and inserting "a copyright arbitration royalty panel"; and

(E) by striking subsections (e), (f), and (g).

(2) The table of sections at the beginning of chapter 1 of title 17, United States Code, is amended by striking "116A" and inserting "116".

**SEC. 4. PUBLIC BROADCASTING COMPULSORY LICENSING.**

Section 118 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) by striking the first 2 sentences;

(B) in the third sentence by striking "works specified by this subsection" and inserting "published nondramatic musical works and published pictorial, graphic, and sculptural works";

(C) in paragraph (1)—

(i) in the first sentence by striking "with, in one hundred and twenty days after publication of the notice specified in this subsection,"; and

(ii) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(D) in paragraph (2) by striking "Tribunal" and inserting "Librarian of Congress";

(E) in paragraph (3)—

(i) by striking the first sentence and inserting the following: "In the absence of license agreements negotiated under paragraph (2), the Librarian of Congress shall, pursuant to chapter 8, convene a copyright arbitration royalty panel to determine and publish in the Federal Register a schedule of rates and terms which, subject to paragraph (2), shall be binding on all owners of copyright in works specified by this subsection and public broadcasting entities, regardless of whether such copyright owners have submitted proposals to the Librarian of Congress.";

(ii) in the second sentence—

(I) by striking "Copyright Royalty Tribunal" and inserting "copyright arbitration royalty panel"; and

(II) by striking "clause (2) of this subsection" and inserting "paragraph (2)"; and

(iii) in the last sentence by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(F) by striking paragraph (4);

(2) in subsection (c)—

(A) by striking "1982" and inserting "1997"; and

(B) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(3) in subsection (d)—

(A) by striking "to the transitional provisions of subsection (b)(4), and";

(B) by striking "the Copyright Royalty Tribunal" and inserting "a copyright arbitration royalty panel"; and

(C) in paragraphs (2) and (3) by striking "clause" each place it appears and inserting "paragraph"; and

(4) in subsection (g) by striking "clause" and inserting "paragraph".

**SEC. 5. SECONDARY TRANSMISSIONS BY STATIONS AND NETWORK STATIONS FOR PRIVATE VIEWING.**

Section 119 of title 17, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1) by striking "after consultation with the Copyright Royalty Tribunal," each place it appears;



(B) in paragraph (2) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(C) in paragraph (3) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(D) in paragraph (4)—

(i) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(iii) in subparagraph (B) by striking "conduct a proceeding" in the last sentence and inserting "convene a copyright arbitration royalty panel"; and

(2) in subsection (c)—

(A) in the subsection caption by striking "DETERMINATION" and inserting "ADJUSTMENT";

(B) in paragraph (2) by striking "Copyright Royalty Tribunal" each place it appears and inserting "Librarian of Congress";

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(II) by striking the last sentence and inserting the following: "Such arbitration proceeding shall be conducted under chapter 8.";

(ii) by striking subparagraphs (B) and (C);

(iii) in subparagraph (D)—

(I) by redesignating such subparagraph as subparagraph (B); and

(II) by striking "Arbitration Panel" and inserting "copyright arbitration royalty panel appointed under chapter 8";

(iv) by striking subparagraphs (E) and (F);

(v) by amending subparagraph (G) to read as follows:

"(C) PERIOD DURING WHICH DECISION OF ARBITRATION PANEL OR ORDER OF LIBRARIAN EFFECTIVE.—The obligation to pay the royalty fee established under a determination which—

"(i) is made by a copyright arbitration royalty panel in an arbitration proceeding under this paragraph and is adopted by the Librarian of Congress under section 802(e), or

"(ii) is established by the Librarian of Congress under section 802(e),

shall become effective as provided in section 802(f)."; and

(vi) in subparagraph (H)—

(I) by redesignating such subparagraph as subparagraph (D); and

(II) by striking "adopted or ordered under subparagraph (F)" and inserting "referred to in subparagraph (C)"; and

(D) by striking paragraph (4).

#### SEC. 6. CONFORMING AMENDMENTS.

(a) CABLE COMPULSORY LICENSE.—Section 111(d) of title 17, United States Code, is amended as follows:

(1) Paragraph (1) is amended by striking ", after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted).";

(2) Paragraph (1)(A) is amended by striking ", after consultation with the Copyright Royalty Tribunal (if and when the Tribunal has been constituted).";

(3) Paragraph (2) is amended by striking the second and third sentences and by inserting the following: "All funds held by the Secretary of the Treasury shall be invested in interest-bearing United States securities for later distribution with interest by the Librarian of Congress in the event no controversy over distribution exists, or by a copyright arbitration royalty panel in the

event a controversy over such distribution exists.".

(4) Paragraph (4)(A) is amended—

(A) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(B) by striking "Tribunal" and inserting "Librarian of Congress".

(5) Paragraph (4)(B) is amended to read as follows:

"(B) After the first day of August of each year, the Librarian of Congress shall, upon the recommendation of the Register of Copyrights, determine whether there exists a controversy concerning the distribution of royalty fees. If the Librarian determines that no such controversy exists, the Librarian shall, after deducting reasonable administrative costs under this section, distribute such fees to the copyright owners entitled to such fees, or to their designated agents. If the Librarian finds the existence of a controversy, the Librarian shall, pursuant to chapter 8 of this title, convene a copyright arbitration royalty panel to determine the distribution of royalty fees.".

(6) Paragraph (4)(C) is amended by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress".

(b) AUDIO HOME RECORDING ACT.—

(1) ROYALTY PAYMENTS.—Section 1004(a)(3) of title 17, United States Code, is amended—

(A) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(B) by striking "Tribunal" and inserting "Librarian of Congress".

(2) DEPOSIT OF ROYALTY PAYMENTS.—Section 1005 of title 17, United States Code, is amended by striking the last sentence.

(3) ENTITLEMENT TO ROYALTY PAYMENTS.—Section 1006(c) of title 17, United States Code, is amended by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress shall convene a copyright arbitration royalty panel which".

(4) PROCEDURES FOR DISTRIBUTING ROYALTY PAYMENTS.—Section 1007 of title 17, United States Code, is amended—

(A) in subsection (a)(1)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(ii) by striking "Tribunal" and inserting "Librarian of Congress";

(B) in subsection (b)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(C) in subsection (c)—

(i) by striking the first sentence and inserting "If the Librarian of Congress finds the existence of a controversy, the Librarian shall, pursuant to chapter 8 of this title, convene a copyright arbitration royalty panel to determine the distribution of royalty payments.";

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(iii) in the last sentence by striking "its reasonable administrative costs" and inserting "the reasonable administrative costs incurred by the Librarian".

(5) ARBITRATION OF CERTAIN DISPUTES.—Section 1010 of title 17, United States Code, is amended—

(A) in subsection (b)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress"; and

(ii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress";

(B) in subsection (e)—

(i) in the subsection caption by striking "COPYRIGHT ROYALTY TRIBUNAL" and inserting "LIBRARIAN OF CONGRESS"; and

(ii) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(C) in subsection (f)—

(i) in the subsection caption by striking "COPYRIGHT ROYALTY TRIBUNAL" and inserting "LIBRARIAN OF CONGRESS";

(ii) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(iii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress"; and

(iv) in the third sentence by striking "its" and inserting "the Librarian's"; and

(D) in subsection (g)—

(i) by striking "Copyright Royalty Tribunal" and inserting "Librarian of Congress";

(ii) by striking "Tribunal's decision" and inserting "decision of the Librarian of Congress"; and

(iii) by striking "Tribunal" each place it appears and inserting "Librarian of Congress".

#### SEC. 7. EFFECTIVE DATE AND TRANSITION PROVISIONS.

(a) IN GENERAL.—This Act and the amendments made by this Act shall take effect on January 1, 1994.

(b) EFFECTIVENESS OF EXISTING RATES AND DISTRIBUTIONS.—All royalty rates and all determinations with respect to the proportionate division of compulsory license fees among copyright claimants, whether made by the Copyright Royalty Tribunal, or by voluntary agreement, before the effective date set forth in subsection (a) shall remain in effect until modified by voluntary agreement or pursuant to the amendments made by this Act.

(c) TRANSFER OF APPROPRIATIONS.—All unexpended balances of appropriations made to the Copyright Royalty Tribunal, as of the effective date of this Act, are transferred on such effective date to the Copyright Office for use by the Copyright Office for the purposes for which such appropriations were made.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from California [Mr. MOORHEAD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2840, the Copyright Royalty Tribunal Reform Act of 1993.

H.R. 2840 abolishes the existing permanent Copyright Royalty Tribunal—a tribunal which simply does not have the workload to justify the expenditure of \$111,800 a year in salary to each of three commissioners, or the salaries of five support staff and a general counsel.

H.R. 2840 replaces the Copyright Royalty Tribunal with temporary copyright arbitration royalty panels. Those panels will be convened—as needed—by the Library of Congress and the Copyright Office. The bill also makes such

conforming procedural changes to current law as are necessary for the purposes of the legislation.

I compliment the gentleman from New Jersey [Mr. HUGHES], who chairs the Judiciary Committee's Subcommittee on Intellectual Property and Judicial Administration, for his leadership on this bill. I also compliment the gentleman from California [Mr. MOORHEAD] for his fine work on the bill as ranking minority member of the subcommittee.

Mr. Speaker, H.R. 2840 is fiscally responsible legislation, and I urge the Members to cast their votes in support of it.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the chairman of the full committee, the gentleman from Texas, has pointed out, this legislation would abolish the CRT and replace it with ad hoc arbitration panels appointed by the Librarian of Congress. Under this bill the claimants will bear the full costs of arbitration. Presently 85 percent of the CRT's \$800,000-plus budget is born by the claimants leaving a total cost to the taxpayer of approximately \$120,000 a year. Under this bill, all costs will be born by the claimants and there will be no cost whatsoever to the taxpayer.

Mr. Speaker, the effective date of this bill is January 1994. We do not intend to interfere in any way with the present proceeding that is in process at the CRT. We fully expect the work of the CRT will be fully completed by January 1994.

Mr. Speaker, I urge a favorable vote for this bill.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. HUGHES], the chairman of the subcommittee.

Mr. HUGHES. Mr. Speaker, I want to thank my distinguished colleague, the chairman of the full committee, the gentleman from Texas [Mr. BROOKS], for yielding this time to me, and I congratulate him and the ranking Republican for moving this bill forward today.

Mr. Speaker, I rise in support of H.R. 2840, a bill to abolish the Copyright Royalty Tribunal and assign its functions to ad hoc arbitration panels and the Library of Congress.

Vice President GORE has recently issued a report calling for reinventing government, including the elimination of unnecessary Government agencies. The Judiciary Committee, through the Subcommittee on Intellectual Property and Judicial Administration, which I chair, began even earlier, in February, to identify ways to improve our copyright system by reducing bureaucracy. Today, we consider the first of our Government-cutting agenda, H.R. 2840.

H.R. 2840 will abolish an underutilized agency in the legislative branch,

the Copyright Royalty Tribunal. Although the CRT's work is important—setting rates and distributing copyright royalties generated under compulsory licenses—evidence developed at the subcommittee's March hearings demonstrates that the CRT's workload is episodic at best.

In 1992, for example, the CRT—an agency whose principal responsibility is to conduct public proceedings—did not hold a single day of hearings. Yet, the three CRT commissioners enjoyed a salary of over \$111,000 a year.

We can do better and have. Experience under the section 119 satellite compulsory license shows that arbitration is an efficient way to handle these disputes. By also involving the Register of Copyrights and the Library of Congress, we get the benefit of their considerable front end experience in administering the compulsory licenses.

Mr. Speaker, I urge the passage of H.R. 2840.

Mr. Speaker, I want to congratulate my colleague, the gentleman from California, who as my partner, the ranking Republican, for his work on this and other bills; also to thank the staff, Hayden Gregory, the chief counsel of the committee, Ed O'Connell, Geraldine Dupont, Bill Patry, Tom Mooney, and Joe Wolfe, for their work on this and many other bills that are very important to the copyright patent laws of this country and to the areas of judicial responsibility that we undertake.

Mr. BROOKS. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I am a relatively new member of this particular subcommittee as chaired by the gentleman from New Jersey [Mr. HUGHES] and the ranking minority member, the gentleman from California [Mr. MOORHEAD].

Although I was lucky enough 20-odd years ago to be a member for a few years of the same subcommittee that has very, very challenging responsibilities, and I am delighted to find upon becoming a member that the subcommittee has an excellent staff. It is chaired by someone who is intellectually appropriate and skilled in these very important issues, issues that are terribly important to industry and business in California and elsewhere and, indeed, in the entire United States.

This is an example of a bill that the gentleman from New Jersey [Mr. HUGHES] brings forward today with the assistance of the gentleman from California [Mr. MOORHEAD] where we are saving a lot of money by doing away with a completely unnecessary and expensive bureaucracy that has not done

a lick of work in a long time, and yet our responsibilities are still there. They have just been assigned to a different entity.

So this is the kind of work that this subcommittee does and, of course, the full Committee on the Judiciary does. I am pleased to be a member of both.

Really, Mr. Speaker, I am rather proud that we can point to this bill today as an example of the way the Judiciary Committee and the Congress acts.

Mr. MOORHEAD. Mr. Speaker, I yield back the balance of my time.

Mr. BROOKS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 2840, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 2840, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

□ 1440

#### RECESS

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to clause 12, rule I, the Chair declares the House in recess until 4 p.m.

Accordingly (at 2 o'clock and 40 minutes p.m.) the House stood in recess until 4 p.m.

□ 1602

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MONTGOMERY) at 4 o'clock and 2 minutes p.m.

#### APPOINTMENT OF CONFEREES ON H.R. 2445, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1994

Mr. BEVILL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year



ending September 30, 1994, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LIVINGSTON moves that the managers on the part of the House at the conference on the disagreeing vote of the two Houses on the bill H.R. 2445 be instructed to agree to the amount provided by the Senate for termination of the SP-100 Program within the overall amount for the energy supply, research and development activities provided in Senate amendment numbered 28.

The SPEAKER pro tempore. The gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Alabama [Mr. BEVILL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Louisiana [Mr. LIVINGSTON].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. BEVILL, FAZIO, CHAPMAN, PETERSON of Florida, and PASTOR, Mrs. MEEK, and Messrs. NATCHER, MYERS of Indiana, GALLO, ROGERS, and MCDADE.

There was no objection.

#### RECESS

The SPEAKER pro tempore. The House will stand in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 10 minutes p.m.) the House stood in recess subject to the call of the Chair.

□ 1850

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DELAURO) at 6 o'clock and 50 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3167, UNEMPLOYMENT COMPENSATION PROGRAM EXTENSION

Mr. DERRICK, from the Committee on Rules, submitted a privileged report

(Rept. No. 103-287) on the resolution (H. Res. 273) providing for consideration of the bill (H.R. 3167) to extend the Emergency Unemployment Compensation Program, to establish a system of worker profiling, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1804, GOALS 2000: EDUCATE AMERICA ACT

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 103-288) on the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### PERMISSION FOR SPECIAL ORDERS DURING 1994

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BONIOR] be permitted a 60-minute special order for every Monday, Tuesday, Wednesday, Thursday, and Friday of 1994, the 2d session of the 103d Congress.

The SPEAKER pro tempore (Ms. DELAURO). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### THE GUN SAFETY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. DERRICK] is recognized for 60 minutes.

Mr. DERRICK. Madam Speaker, this summer, a magazine article stated that it took the murder of basketball star Michael Jordan's father—James Jordan—to put a face on the gun violence that is sweeping this Nation.

James Jordan was very much a part of his son's outstanding sports career. The Jordans were a family known and loved by many Americans. We could share in the painful grief that this public family experienced.

However, there are many other stories of such tragedies that confront families who are not as famous as the Jordans. These stories aren't read on the front pages of major newspapers

across the country. But, they are the stories of families just as loving and caring who, too, suffer a tragic loss because a firearm was misused or was the cause of an accidental injury or death.

It is the faces of these children that I want to share with you this evening.

Each day in the United States, 40 children are killed or injured by guns. Gunshot wounds are a leading cause of death among children in the United States.

If we lived in Bosnia, Somalia, or even Belfast, we might make sense of these numbers. In those countries, children live right in the middle of civil war. The sad truth is American children are getting caught in gun cross-fire right here in the United States—right in their own neighborhoods. Far too many children are placed in harm's way every day right here in the United States.

I don't understand how as Americans we can accept what is happening to our children and take no responsibility to stop it. Where is our sense of urgency? How high must the numbers go before we take meaningful and effective action to end the violence and keep children from dying by guns? I don't believe we can afford to lose our next generation—they are this country's future.

Madam Speaker, I want to share with my colleagues two stories which illustrate how we are losing our children too soon and too young.

These are the stories from two mothers who each lost a 13-year-old son by a gun accident. I would like to thank both Mrs. Betsey Robinson of Beaufort, SC, and Mrs. Peggy Nunn of Columbia, SC, for allowing me to share their own personal words and their sons' faces with you.

[Picture not reproducible in the RECORD.]

Here is the face of Reynolds. His mother, Betsey Robinson, writes—

It is Good Friday and the children are out of school. I am taking a bridge lesson next door. I hear a gunshot—get up and look out the door. No activity. The phone rings. My neighbor answers it, slams the receiver down and says, "Come on Betsey."

We rush outside and I see my daughter running toward the yard where we are headed saying "Where is he?" Somehow I know the gunshot, the phone call, and my son are connected. We round the corner and there he is on the ground—unmoving and still—my son—who never stopped moving—bright red blood is trickling from his mouth and nose.

His eyes are open. He is not breathing. I lift his shirt and see a tiny hole in his left chest. I start CPR. There is no response. I know I only have six minutes, but 16 eternal minutes later, fire trucks and ambulance arrive—too late. My little boy is dead.

Mrs. Robinson tells me that Reynolds was an energetic, happy, friendly, athletic, and loving member of the Robinson clan. He was their baby and everybody's kid in Beaufort, SC.

He was snatched away from them because a loaded gun was left accessible

□ 1900

to another child. In Reynold's case, a 9-year-old boy who was left alone.

Mrs. Robinson says that her family had looked forward to years and years of Reynolds and the lively, contagious joy he brought to them. He was their future and he was taken away because someone didn't unload a gun.

Today, Mrs. Robinson channels her anger and grief into an organization called Citizens for a Safer South Carolina. Their goal is to educate the public—to educate adults—to the danger of leaving loaded guns within the reach of children. She is also working on the State level for the enactment of a gun responsibility law. As Mrs. Robinson points out, a child is more likely to get a gun from his or her own home than from any other source.

About one-half of all the homes in America contain one or more firearms. Keeping firearms in the home carries associated risks, especially when a child can get his or her own hands on it.

A study released last week in the New England Journal of Medicine emphasized this very point. This study on gun ownership and homicide concluded that keeping a gun at home nearly triples the chance that someone will be killed on the premises. This study seems to contradict the long-held view that we keep guns in the home for self-defense and protection.

Are we safer because of firearms? I don't think so. It is not just the gun owner who is at risk, but anyone who has access to the firearms in a home. It is especially disturbing when a young, curious child has access to a gun.

[Picture not reproducible in the RECORD.]

This is the face of William. His mother, Peggy Nunn, writes:

I lost my 13-year-old son in an accident involving a handgun. He was asked to dog sit for my neighbor without my knowledge and was given a key to their house. Being the curious boy he was, William roamed through their house, and located a handgun that was not properly secured. It was not locked up and the ammunition was right there with it.

William had the gun for about a month and most of his friends knew that he had it, but never said anything. I gather he and one or two of his close friends actually played with the gun on one occasion when they were spending the night together at one of his friend's house.

William carried the gun to my mother's house and was house sitting one Friday morning, waiting for a carpenter to arrive with a load of wood. From what has been pieced together, William was probably startled by the noise of dropping wood landing on the front porch. The gun was wedged between his chest and his crossed knee and according to the police typically have hair-triggers.

They felt William probably didn't even know there was a bullet left in the gun, but whatever movement he made at that moment was enough to cause the gun to go off. The bullet entered just below his bottom lip and into his brain, causing instant death. I know that none of us that found him 20 min-

utes later will ever forget that scene, nor will we ever stop missing our son.

This picture of William was taken on his 13th birthday, just 1 month before the accident. Mrs. Nunn says it symbolizes William's life very well—always on the brink of some new experience or discovery, testing the waters of life to the limit. William was a carefree spirit in love with life, friends, and family.

I am as saddened and grieved by these stories as these two mothers. I find myself asking the same question that they must ask themselves every day. What can we do to begin to reduce accidental, gun-related deaths, especially among our children?

I believe a beginning lies in the Gun Safety Act I have introduced today. Its premise is simple. It says we will treat firearms as a consumer product and give the Consumer Product Safety Commission the authority to regulate the risk of injury associated with guns. Two devices could be especially effective in preventing some gun accidents and as a result reduce the number of accidental deaths and injuries from firearms.

Under my bill, the Consumer Product Safety Commission would have the authority to require that future firearms be manufactured with these two mechanisms—a child-proof safety device and a loading indicator.

Firearms are lethal weapons, and it is foolish that we do not treat them as such. Firearms cause accidental deaths and injuries. A study by the General Accounting Office estimated that for every death caused by an accidental shooting, there are another 105 injuries caused by accidental discharges from firearms.

Many of these deaths and injuries could have been prevented if just two safety devices were added to firearms—the child-proof safety device and an indicator for telling if there are bullets in the gun.

In the 1970's and 1980's, we started treating automobile fatalities as a public health issue, and we have succeeded in turning the numbers around. We can and we must do the same thing with firearm fatalities.

The Gun Safety Act will provide a degree of protection to persons who use firearms, and it will begin to reduce the accidental deaths and injuries of children caused by guns.

We must begin now to look at firearms as a public safety issue—if not for us adults, then at the very least for our children.

Owning firearms carries with it certain responsibilities. And, our first responsibility should always be the welfare of our children. Until we have gun-proof children, we must ensure that we have child-proof guns.

## U.S. FISH AND WILDLIFE SERVICE LAND GRABS IN GUAM MUST STOP

The SPEAKER pro tempore (Ms. DELAURO). Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 60 minutes.

Mr. UNDERWOOD. Madam Speaker, I am outraged that on October 1, 1993, the U.S. Fish and Wildlife Service acquired title to 370 acres of land at Ritidian, GU, for a wildlife refuge headquarters. This land grab by the bureaucrats at the Fish and Wildlife Service occurred in spite of strong objections by my office and the government of Guam to the Department of the Interior.

The people of Guam will not stand for this land grab by the Fish and Wildlife Service. It is tragic that over the past 50 years on Guam, the actions of the bureaucrats continue to add to the historical injustices of the land takings on our island that occurred after World War II. This land grab represents all that is wrong and all that is destructive of good intentions by the Federal Government. This land grab obscures the issues of whether or not a wildlife refuge is in Guam's interest, and makes the basic issue, not the protection of animals, but the blatant disregard for the land injustices that have occurred on Guam.

Mr. Speaker, the people of Guam want to send a clear message today to the bureaucrats at the Fish and Wildlife Service, and to any other Federal bureaucracy that has designs on our land—our message is no more land grabs. We will fight you today, we will fight you in Congress, we will fight you in the courts, and we will not let you take any more of our ancestral lands.

In order to appreciate the outrage that has erupted on Guam over the Fish and Wildlife land grab, you must understand that the 45,000 acres of land that the military owns on Guam was acquired by means that do not withstand the most basic tests of fairness and due process. You must remember that in the years immediately following World War II, Guam was under a naval military government. The bulk of the land condemnations occurred without the benefit of civilian courts, without the benefit of civilian lawyers to advise the Chamorro people, and without the benefit of even the most basic due process rights afforded to any other American community. Some of the tactics used by the military land condemnations reeked of intimidation and fraud, such as the imposition of land taxes by a naval government and then the subsequent confiscation of property by a naval tribunal for non-payment of these taxes.

The injustices of the land takings defy reason. The people of Guam have not forgotten these injustices, and



their perspective must be heard. The Cruz and San Nicholas families are typical of those who were told their lands were being leased, not sold. The Villagomez family lost 7 hectares and were compensated a mere \$139.90. The Anderson family was too patriotic to object and lost two houses in the old city of Sumay. The Limtiaco family lost beachfront land for defense purposes; their land is now a USO recreational park. The Iriarte family lost a ranch that is now a Navy golf course. The Mendiola family was threatened with jail for objecting to the condemnations. The list of personal stories of injustices goes on and on.

Most Chamorros were willing to give the benefit of the doubt to the military in deep gratitude for the liberation of Guam from enemy occupation in World War II. But does such good will deserve to be reciprocated by losing one's ancestral homeland as the price for liberation? The tragic experience of the people of Guam in World War II did not end with the liberation by the American forces. For many families, the tragedy included losing their homes, their ranches, and the familial lands to the ever-growing military bases. To add insult to injury, the compensation for these land takings were not based on fair market value formulas; they were arbitrary and totally inadequate. The result of the condemnations was that the military literally acquired 45,000 acres for a steal—for \$1.7 million. By shortchanging the people of Guam for the value of their land, the military also ensured that many Chamorro families would not only be landless, but also impoverished.

Misrepresentations were made by the military in the original land takings, including the often repeated promise to the landowners that the land would be returned to the people of Guam when the military did not need it anymore. Our people never forgot this promise, and now that the land may in fact not be needed by the military, we are holding the Federal Government to these promises.

This is the heart of the issue. The people of Guam will not tolerate a situation where military lands which are now excess due to the smaller requirements of a post-cold-war era are being turned over to other Federal bureaucracies. The historical land injustices cannot be corrected by exchanging one Federal land baron for another.

The Fish and Wildlife Service rationalizes its landgrab by saying that the Federal property laws allow them to acquire excess military lands before these lands are given to the government of Guam. Is this the precedent that the Federal Government wants to make on Guam? With over one-third of our island used for military bases, it is conceivable that the downscaling of the military will not result in the resolution of the historical land injustices,

but instead will result in mega-landlords such as Fish and Wildlife Service and the National Park Service. To this, the people of Guam say "No."

I must also question the misrepresentations and the undue haste with which the Fish and Wildlife Service executed its land grab. I have often heard, even at the highest sources in the Department of the Interior, that the Governor of Guam supports the transfer of the land. I have personally seen Governor Ada's letters to the Department of the Interior on this issue. It is undeniably clear that the Governor has always opposed the transfer of the 370 acres at Ritidian for the purpose of the wildlife refuge. While the Governor has expressed support for the concept of a wildlife refuge on Guam as an alternative to a more restrictive critical habitat, there is absolutely no doubt from the record of correspondence that the Governor has never endorsed the Fish and Wildlife land grab. I must point out that the Governor's position makes sense to me—if there must be a wildlife refuge as the less restrictive option, there is no reason why the 370 acres of Ritidian must be titled to the Fish and Wildlife Service. As for as the protected species, when it comes to owning title to the Ritidian land, do you think the birds care whether the land belongs to the government of Guam or the Fish and Wildlife Service?

There are circumstances surrounding the Ritidian land transaction that are cause for concern. Why was the Fish and Wildlife Service involved in negotiations with private developers over a year ago and talking about land exchanges for the Ritidian land when they did not even have a title to the land at that time? Why was the Fish and Wildlife Service in such haste to initiate the transfer process just prior to the congressional hearing on the Guam Excess Lands Act on July 29, 1993? What misrepresentations were made within the Department of the Interior to assure the General Services Administration that the land transfer was supported by the Governor of Guam? Did the Federal Government comply with its own land transfer procedures, or were shortcuts used in order to ensure that the land was transferred before the people of Guam could be alerted to this travesty. What happened to the policy of the Department of Defense initiated by Secretary Cheney requiring that the government of Guam be consulted on military land transfers?

I visited the Ritidian site during my trip to Guam in September. I went there to try to find out if the land was already lost to the bureaucrats, and to try to assess what can be done to stop the transfer. The Fish and Wildlife Service had already taken up residence in their headquarters building. Later, at a Guam Legislature hearing for the Ritidian families, when it was an-

nounced that the title to the Ritidian land was already acquired by the Fish and Wildlife Service as of October 1, I saw firsthand the deep and bitter disappointment that this news brought.

The bottom line is this—this landgrab cannot be allowed to stand. It destroys the trust needed to resolve the land issues on Guam, and it defeats the efforts of those who are seeking to find fair comprehensive solutions to the land issues. The landgrab has been criticized by the government of Guam, the Ritidian families, and the people of Guam. Prominent media commentators on Guam have joined the chorus of protest in their editorials roundly criticizing the lack of understanding of the Fish and Wildlife Service of the historical injustices surrounding the land takings. In their haste to implement their wildlife refuge, the Fish and Wildlife Service has made a terrible mistake which must be undone. I intend to introduce legislation to reverse the land transfer at Ritidian and return the land to the people of Guam. I will not accept, nor will the people of Guam tolerate, that this is the way the bureaucracy intends to exploit the excess lands process. I will continue my efforts to bring about the Guam land conference so that a comprehensive solution to the Guam land issues can be forged. But I will not let these 370 acres slip through our hands and into the clutches of bureaucrats who fancy a breachfront headquarters for their empire. If the Fish and Wildlife Service has a valid claim on Guam land, let them come to the Guam land conference and make their case openly before the people of Guam. But I will not tolerate side deals on Guam's land to be made between Federal bureaucracies.

Madam Speaker, this issue has served to heighten the consciousness of the people of Guam to two realities. One, is that without the measure of self-government promised in the Guam Commonwealth Act that is before this Congress, that Federal agencies will continue to do whatever is in their bureaucratic self-interest without regard to the history of our people and the interests of our island. The second reality is that the land problems will not just go away, and that if anything, the pressures to find comprehensive solutions have become greater with the prospect that the survival of the indigenous Chamorro people of Guam is threatened and that the actions of the Federal Government and the government of Guam will have a very real impact on the ability of our people to thrive in our own ancestral homeland. Perhaps the irony is lost on the Fish and Wildlife Service, that their efforts to acquire the 370 acres of Ritidian, and to establish a 28,000-acre wildlife refuge threatens the survival of the Chamorro people. And while the Fish and Wildlife Service affords itself the luxury of 370

acres of land for its own convenience, and 25 acres per endangered bird on Guam, I have to wonder what is the allocation for an endangered people? And finally, I have to wonder, has the Federal Government lost all sense in its policy on Guam, or has the lack of a policy caused a vacuum so great that any bureaucracy can impose its own will on our people?

Madam Speaker, I urge the Federal Government to revise this land transfer and to return the Ritidian land to the people of Guam. I stand firmly with the people of Guam in opposing this landgrab, and will do everything possible as the Delegate from Guam to reverse this monumental mistake. I urge this Congress to view the Ritidian landgrab for exactly what it is—not for the protection of endangered species, but for the enhancement of a bureaucratic empire. This issue must be resolved, and the land must be returned.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BARTON of Texas) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes, today.

Mr. EWING, for 5 minutes, on October 18, 19, 20, 21, 25, 26, 27, and 28 and November 1, 2, 3, and 4.

Mr. DOOLITTLE, for 60 minutes, on October 14 and 19.

Mr. BEREUTER, for 5 minutes, on October 14.

(The following Members (at the request of Mrs. MEEK) to revise and extend their remarks and include extraneous material:)

Mr. DIXON, for 5 minutes, today.

Mr. FINGERHUT, for 20 minutes, today and on October 13.

Mr. UNDERWOOD, for 30 minutes, today.

Mr. CONYERS, for 15 minutes, today.

Mr. MENENDEZ, for 60 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BARTON of Texas) and to include extraneous matter:)

Mr. PORTER.

Mr. BAKER of California.

Mr. GILMAN.

Mrs. MORELLA.

Ms. ROS-LEHTINEN.

(The following Members (at the request of Mrs. MEEK) and to include extraneous matter:)

Mr. ENGEL.

Mr. MURTHA.

Mr. GORDON.

Mr. HAMILTON.

Mr. ACKERMAN.

Ms. SCHENK.

Mr. REED.

(The following Members (at the request of Mr. UNDERWOOD) and to include extraneous matter:)

Mr. REED.

Ms. SCHENK.

Mr. MICHEL.

Mr. GILMAN.

Mr. ACKERMAN in three instances.

Mr. HAMILTON.

Mr. WALSH.

Mr. DUNN.

Mr. LIPINSKI.

Mr. SCHIFF.

Ms. HARMAN.

Mr. FISH.

Mr. KLEIN in two instances.

#### ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 22 minutes p.m.), the House adjourned until Wednesday, October 13, 1993, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

2003. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting his request for emergency supplemental appropriations of \$65 million in budget authority for the Department of Health and Human Services to support public health and social services provided in response to the flooding along the Mississippi River and its tributaries, pursuant to Public Law 103-75, chapter IV (107 Stat. 746) (H. Doc. No. 103-147), was taken from the Speaker's table and referred to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Natural Resources. H.R. 914. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the National Wild and Scenic Rivers System, and for other purposes; with amendments (Rept. 103-281). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 2650. A bill to designate portions of the Maurice River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers Systems; with an amendment (Rept. 103-282). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAMILTON: Committee on Foreign Affairs. S. 1487. An act entitled "Middle East Peace Facilitation Act of 1993"; with an amendment (Rept. 103-283, Pt. 1). Ordered to be printed.

Mr. BROOKS: Committee on the Judiciary. H.R. 1102. A bill to make permanent chapter 44 of title 28, United States Code, relating to arbitration; with an amendment (Rept. 103-284). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 2632. A bill to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal year 1994; with an amendment (Rept. 103-285). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 2840. A bill to amend title 17, United States Code, to establish copyright arbitration royalty panels to replace the Copyright Royalty Tribunal, and for other purposes; with an amendment (Rept. 103-286). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONIOR: Committee on Rules. House Resolution 273. Resolution providing for consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes (Rept. 103-287). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 274. Resolution providing for the consideration of the bill (H.R. 1804) to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes (Rept. 103-288). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOUCHER (for himself and Mr. BROWN of California):

H.R. 3254. A bill to authorize appropriations for the National Science Foundation, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. BARTON of Texas:

H.R. 3255. A bill to repeal the Cable Television Consumer Protection and Competition Act of 1992; to the Committee on Energy and Commerce.

By Mr. PETE GEREN of Texas:

H.R. 3256. A bill to provide for the registration of persons convicted of sex offenses against children; to the Committee on the Judiciary.

By Ms. LOWEY:

H.R. 3257. A bill to provide for a study to determine the extent to which health professions schools provide adequate education to students on women's health conditions; to the Committee on Energy and Commerce.

H.R. 3258. A bill to assist States in establishing and increasing the utilization of boot camp prisons; to the Committee on the Judiciary.

By Ms. SHEPHERD (for herself and Mr. GLICKMAN):

H.R. 3259. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow multijurisdictional gang task forces the opportunity to continue to receive grant funds; to the Committee on the Judiciary.



By Mr. TRAFICANT:

H.R. 3260. A bill to require the Comptroller General of the United States to conduct a study regarding the ability of Mexico to carry out its obligations under the North American Free-Trade Agreement and the NAFTA supplemental agreements; to the Committee on Ways and Means.

H.R. 3261. A bill to amend the Internal Revenue Code of 1986 to provide that Internal Revenue Service employees shall be personally liable for litigation costs resulting from arbitrary, capricious, or malicious acts, and for other purposes; to the Committee on Ways and Means.

H.R. 3262. A bill to impose an additional duty on imported goods and to provide that amounts equal to the revenues delivered therefrom be available for the national health care purposes; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. DERRICK:

H.R. 3263. A bill to amend the Consumer Product Safety Act to authorize the Consumer Product Safety Commission to regulate the risk of injury associated with firearms; to the Committee on Energy and Commerce.

By Mr. STARK (for himself Mr. RAMSTAD, and Mr. BEILSON):

H.R. 3264. A bill to amend titles XVI and XIX of the Social Security Act to improve work incentives for people with disabilities; jointly, to the Committee on Ways and Means and Energy and Commerce.

By Mr. MCHALE:

H.J. Res. 276. Joint resolution designating May 1, 1994, through May 7, 1994, as "National Walking Week"; to the Committee on Post Office and Civil Service.

By Ms. SCHENK:

H. Con. Res. 164. Concurrent resolution concerning the responsibility of the Federal Government for providing social services for undocumented aliens; to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 323: Mr. BURTON of Indiana and Mr. SCHIFF.

H.R. 439: Mr. ARMEY.

H.R. 562: Mr. ARMEY.

H.R. 796: Mr. SCOTT and Mr. OLVER.

H.R. 921: Mr. HOCHBRUECKNER and Mr. FOGLIETTA.

H.R. 1025: Mr. PASTOR and Mr. FARR.

H.R. 1031: Mr. SYNAR, Mr. GLICKMAN, Mr. FROST, and Mr. HORN.

H.R. 1039: Mr. BACCHUS of Florida and Mr. FRANK of Massachusetts.

H.R. 1055: Mr. SANDERS.

H.R. 1164: Mr. FINGERHUT.

H.R. 1314: Mr. MCCOLLUM.

H.R. 1342: Mr. BACCHUS of Florida and Mr. FRANK of Massachusetts.

H.R. 1353: Mr. TORKILDSEN, Mr. HUNTER, Mr. SMITH of Texas, and Mr. LIPINSKI.

H.R. 1406: Mr. LAFALCE.

H.R. 1420: Mr. MCDERMOTT, Mr. PETERSON of Minnesota, and Mr. NADLER.

H.R. 1489: Mr. WYNN.

H.R. 1504: Mrs. VUCANOVICH.

H.R. 1538: Mr. BERMAN and Mr. DELLUMS.

H.R. 1552: Mr. ZELIFF and Mr. SCHIFF.

H.R. 1725: Mr. GREENWOOD, Mr. GENE GREEN of Texas, Mr. CANADY, and Mr. PORTMAN.

H.R. 1749: Mr. ANDREWS of New Jersey.

H.R. 1785: Mr. ARMEY.

H.R. 2014: Mr. SISISKY, Mrs. CLAYTON, and Mr. ANDREWS of New Jersey.

H.R. 2095: Mr. KLINK.

H.R. 2215: Mr. ARMEY.

H.R. 2276: Mr. REYNOLDS.

H.R. 2312: Mr. POSHARD.

H.R. 2425: Mr. ARMEY.

H.R. 2457: Ms. WOOLSEY.

H.R. 2554: Mr. TORRICELLI, Ms. MOLINARI, Mr. MOLLOHAN, Mr. BERREUTER, Mr. SAXTON, Mr. SUNDQUIST, Mrs. ROUKEMA, Mr. PALLONE, Mr. PETRI, Ms. SLAUGHTER, and Ms. PRYCE, of Ohio.

H.R. 2591: Mr. FROST, Mrs. MALONEY, and Mr. JEFFERSON.

H.R. 2860: Mr. HASTERT.

H.R. 2880: Mr. ARMEY.

H.R. 2884: Mr. GEJDENSON, Mr. FILNER, Mr. EDWARDS of California, and Mrs. LLOYD.

H.R. 2957: Mr. GILCHREST, Mr. WELDON, Mr. HOEKSTRA, and Mr. ARMEY.

H.R. 3005: Mr. TALENT, Mr. ROGERS, and Mr. GALLEGLY.

H.R. 3039: Mr. BURTON of Indiana.

H.R. 3088: Mr. SCHUMER.

H.R. 3138: Mr. BARCIA of Michigan, Mr. BISHOP, and Ms. FURSE.

H.R. 3212: Mr. POMBO, Mr. SOLOMON, Mrs. ROUKEMA, Mr. HERGER, Mr. GALLEGLY, Mr. STUMP, and Mr. LIGHTFOOT.

H.R. 3236: Mr. FRANK of Massachusetts, Mr. HOLDEN, Mr. FINGERHUT, Mr. WALSH, and Mr. DELLUMS.

H.J. Res. 178: Mr. DICKS, Mr. FIELDS of Louisiana, Mr. LEACH, Mr. NEAL of North Carolina, Mr. LEHMAN, Mr. REYNOLDS, Mr. KLINK, Mr. LAROCOCO, and Mr. PALLONE.

H.J. Res. 191: Mr. MARTINEZ.

H.J. Res. 212: Mr. GLICKMAN, Mr. STUDDS, Mr. SKELTON, Mr. SUNDQUIST, and Mr. CLAY.

H.J. Res. 218: Mr. GILCHREST, Mr. SHAYS, Mr. BATEMAN, Mr. BACCHUS of Alabama, Mr. WISE, Mr. CLYBURN, Mr. TORRES, Mr. MENENDEZ, Mr. MCCLOSKEY, Mr. SANDERS, and Mr. PAYNE of New Jersey.

H.J. Res. 246: Mr. BATEMAN, Mr. BOEHLERT, Mr. DOOLITTLE, Mr. ENGEL, Mr. EVANS, Mr. GILMAN, Mr. GLICKMAN, Mr. GENE GREEN of Texas, Mr. KANJORSKI, Mr. KILDEE, Mr. MCCOLLUM, Mr. NATCHER, Mr. NEAL of North Carolina, Mr. QUILLLEN, Mr. SHARP, Mr. SKEEN, Mr. SPENCE, Mr. TAUZIN, and Mr. TOWNS.

H.J. Res. 257: Mr. HUTTO, Mr. MOORHEAD, Mr. MARTINEZ, Mr. GREENWOOD, Mr. MANTON, Mr. SHAYS, Mr. PETE GEREN of Texas, and Mr. BLUTE.

H.J. Res. 262: Mr. MCCREY.

H.J. Res. 265: Ms. SLAUGHTER, Mr. DIXON, Mr. NATCHER, Mr. HORN, Mr. GREENWOOD, Mr. MILLER of California, Mr. PICKETT, Mr. MCDERMOTT, Mrs. THURMAN, Mr. ENGEL, Mr. PRICE of North Carolina, Mr. BALLENGER, Mr. LEVY, Mr. GLICKMAN, Mr. FROST, Mr. PETRI, Mr. CRAMER, Ms. MCKINNEY, Ms. BROWN of Florida, Ms. BYRNE, Mr. MANTON, Ms. SCHENK, Mr. PETE GEREN of Texas, Mr. HUTTO, Ms. KAPTUR, Mr. BARRETT of Wisconsin, Mr. SKEEN, and Mrs. MINK.

H. Con. Res. 147: Mr. ANDREWS of Maine.

H. Con. Res. 153: Mr. KOLBE and Mr. KING.

H. Res. 38: Ms. BROWN of Florida, Mr. SKAGGS, and Mr. EDWARDS of California.

H. Res. 108: Mr. BISHOP and Ms. FURSE.

H. Res. 175: Mr. SKEEN.

H. Res. 237: Mr. ANDREWS of New Jersey, Mr. BOEHNER, Mr. DOOLITTLE, Mr. GUNDERSON, Mr. HERGER, Mr. ROHRBACHER, Mr. ROYCE, Mr. SCHIFF, and Mr. SKEEN.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3210

By Mr. BROWN of California:

—Page 9, line 5, insert the words "including the metric system of measurement" after "education".

—Page 9, line 9, insert the words "including the metric system of measurement" after "science".

## EXTENSIONS OF REMARKS

## SAMUELSON'S VIEWS ON HEALTH CARE REFORM

## HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. PORTER. Mr. Speaker, as the national debate on health care proceeds, I would like to submit to my colleagues an editorial by Robert J. Samuelson concerning his views on the socialization of American medicine. Mr. Samuelson raises pertinent economic and political issues we will face as we decide the rules of the game for an improved health care system.

## SOCIALIZED MEDICINE IN AMERICA

(By Robert J. Samuelson)

We have arrived at socialized medicine in America. I do not report this as either a good or bad event but simply as something that has happened with hardly anyone realizing it. This is the first result—and probably the most important—of the national health care debate launched last week by President Clinton. Our politics and economy will never again be the same.

By socialized medicine, I mean the general belief that health care is a unique sort of service that government must ultimately supervise. This belief is now widely shared by the public across the political spectrum. We have effectively decided to give government the job of running a seventh of the U.S. economy (the size of the health sector) and of mediating many of the hard moral issues (everything from mercy killing to the use of expensive life-saving technologies) that arise in medicine.

You can deduce all this from the reaction to Clinton's speech. The criticism of it has concentrated almost exclusively on details, albeit important ones. Can the plan really provide universal health insurance without increasing costs? Are the benefits in his package too generous—or not generous enough? But almost no one has questioned Clinton's central assertion that the government must guarantee health insurance to everyone.

We've silently resolved that who gets health care should not be settled mainly by the "market" (that is, how much money you have). Some level of health care is a "right," and only government can enforce rights. What we've agreed, as a society, is that government will write the rules for health care. We haven't yet agreed what the rules will be. The debate will focus less on basic goals than on methods, timetables and financing.

If you doubt this, contrast what's happening now with what happened in the mid-1960s when Congress created Medicare and Medicaid, the programs for the elderly and poor. Then, the American Medical Association opposed those programs on the ground that government was intruding too deeply into medicine. No more. The AMA has a reform plan; so does the conservative Heritage Foundation. Both accept the goal of universal insurance. Both assume that only government can compel it.

The socialization of U.S. health care has actually been underway for decades. Purely private medicine long ago vanished. About a quarter of us already have government insurance, mainly through Medicare (36 million) and Medicaid (33 million). People with employer-paid insurance have their health care subsidized by government, because those policies are exempt from income taxes. (In 1993 this subsidy is worth an estimated \$43 billion.) These lavish subsidies have reflected the growing conviction that people shouldn't be denied needed health care.

Clinton has now taken us the last step. By proposing universal insurance—and daring anyone to challenge that as a worthy goal of public policy—he has forged a broad, though ill-defined, new consensus. He forced political protagonists of all philosophical stripes to declare themselves, either openly or by their silence, in favor of health care as a vague right.

The overwhelming public response to all this may be: Well, it's about time. In many ways, Clinton is merely bringing us to a point reached by most advanced societies. Still, the advent of socialized medicine ought to give us pause on two grounds.

First, its politics will be highly contentious. Every part of the health industry will seek to advance its interests through government. If family practitioners feel slighted, they'll try to improve their incomes and status through government rules. Those who feel threatened (specialists, drug companies) will try to prevent punitive measures. These struggles will be ferocious because the economic interests are immense. In 1991 health spending totaled \$752 billion. The debates will also be confusing, because self-interested arguments will be presented as guaranteeing patients' rights and good medicine.

But the really messy aspects of health care politics will involve moral issues. When government mandates, permits, pays for—or bans—certain medical practices, it inevitably involves itself in intensely personal decisions where Americans' values and religious beliefs may differ dramatically. Government may have to grapple with mercy killing, living wills and the kinds of costly life-saving technologies that should (or shouldn't) be subsidized and paid for. Rationing, by any name, won't be easy. Politics simply isn't good at resolving deeply felt values questions, as the fight over abortion ought to have taught us.

Second, the economics of socialized medicine could be disastrous. Government excels at giving things away. It is inept at restricting or revoking its giveaways. One purpose of health reform, says Clinton, is to control runaway health costs. Fine rhetoric. But most of his public emphasis so far has been on new benefits, mainly universal health insurance. Even now, many experts doubt his assumption that these new benefits can largely be paid for with "savings" in other health programs.

It's not just Clinton. Most politicians are inclined to expand public benefits while disguising the costs. The combination of expansive employer insurance mandates (requiring companies to provide coverage) and lax cost controls could actually speed the rise of

health spending. Employer mandates make the costs less visible by putting them outside the federal budget. Given Americans' distrust of government, it might be easy to object to cost controls on the ground that government is being meddlesome and intrusive. The hard decisions involve either limiting benefits or finding effective ways to discipline health spending.

Socialized medicine does not mean that government will run every hospital or employ every doctor. Even in countries with national health insurance, the medical complex often remains in private hands. It does mean that most of the critical decisions about health care will ultimately be settled politically.

Our impending debate is not simply a choice between Clinton's plan and the alternatives. It is really the start of something new in our politics and social history. Almost certainly, some plan will pass. Almost certainly, whatever passes will be modified, perhaps extensively, in the future, as we react to how it works. Our health care debates will be unending. Socialized medicine, for better or worse, will be what we make of it.

## TRIBUTE TO CH2M HILL

## HON. MICHAEL J. KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. KOPETSKI. Mr. Speaker, today I pay tribute to CH2M Hill and its employees; constituents I am proud to represent. Founded at Oregon State University in 1946, the firm of Cornell, Howland, Hayes and Merryfield now employs 4,000 people in more than 50 locations in the United States and abroad.

The October 1993 issue of Oregon Business magazine features an article about Oregon's most successful privately held companies. CH2M Hill ranks No. 3 in this survey. For the RECORD, I include a copy of the CH2M Hill profile and recommend it to all of my colleagues. I am sure, whether they recognize it or not, that each member of this body has experienced the fine work product that is CH2M Hill:

## CH2M HILL

Contrary to popular perceptions, CH2M HILL Ltd.'s success does not come from "large" projects for "big" clients. The majority of its work consists of small projects for businesses and public agencies. More than 60% of its projects in 1992 and 1993 involved fees under \$20,000.

While CH2M HILL is the number one environmental engineering firm in the nation, the key to its success is its ability to deliver diverse technical capabilities to meet client needs. With approximately 75% of its work coming from repeat clients, satisfied clients represent the cornerstone of the business.

For 47 years, CH2M HILL has provided Oregon clients with innovative services in air quality, hazardous and solid waste cleanup, energy, water, wastewater and transportation systems. This technical breadth provides clients with "one-stop shopping" for

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



numerous services. Currently, industrial clients are taking advantage of CH2M HILL's air quality expertise to proactively deal with upcoming permitting issues.

The CH2M HILL Ltd. family of companies includes the Oregon offices of CH2M HILL, Inc.; Industrial Design Corp. (IDC); and Operations Management International (OMI).

The companies undertake all project phases, including concept, design, construction and operation. Examples include CH2M HILL Inc.'s permitting and environmental work for a major new industrial facility to be sited and built in the Northwest; IDC's design and construction management services for high-tech firms; and OMI's contract operations for public- and private-sector water and wastewater treatment systems such as the Roseburg Urban Sanitary Authority.

"Our success also stems from our long-standing commitment to the Oregon community," explains Ray Topping, CH2M HILL's Oregon Regional Manager. "We educate children in the roles math and science play in the world, and we participate in civic programs that give something back to our community."

#### HONORING ED SHEEHAN

#### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. MURTHA. Mr. Speaker, I would like to take this opportunity to join the Greater Johnstown Inter-Service Club in recognizing a distinguished resident of the Johnstown, PA area, Mr. Ed Sheehan, Sr.

The Greater Johnstown Inter-Service Club Council will be awarding Ed its Annual Achievement Award this year because of his work as president and chief executive officer of Stardyne, Inc. The work that Stardyne has done in producing electro-optical equipment for our Nation's military has protected countless American lives, and the development of this technology has made our Armed Forces more effective in carrying out their missions.

Ed has been an important part of the development of electro-optical equipment, from his days in the Department of Defense night vision and electro-optics laboratories to his current position as head of one of the most advanced high-technology firms in the country. His work has been invaluable to our Armed Forces, and on behalf of the Armed Forces, we take this opportunity to salute him.

I'm proud to call Ed a friend, and I do not think the Greater Johnstown Inter-Service Club Council could make a finer choice than Ed Sheehan Sr., for its Annual Achievement Award. I would like to extend my sincere congratulations to Ed on this occasion, and I wish him many more years of success.

#### HONORING SISTERHOOD COMMUNITY CENTER OF ISRAEL

#### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. ENGEL. Mr. Speaker, it is with great pleasure that I recognize the 60th anniversary

of the sisterhood of the Community Center of Israel, located in the Bronx, NY.

For six decades, the Sisterhood has provided devoted service to its synagogue and community. Community Center of Israel is an integral part of the neighborhoods surrounding Pelham Parkway, and it has been a focal point of positive efforts to enhance the lives of all the people in the area. The Sisterhood has always been an essential part of those efforts.

On behalf of my constituents, I thank all those who have devoted their time and effort to the Sisterhood of the Community Center of Israel. I also congratulate them on their accomplishments and with them many more years of success.

#### DALE HOLLOW LAKE: 50 YEARS OF CONTRIBUTION

#### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. GORDON. Mr. Speaker, 50 years ago, Tennessee's beauty was greatly enhanced and its upper Cumberland region was enriched with a resource that dramatically changed the community. Fifty years ago, Dale Hollow Lake was completed.

Set between the Obey River and the Cumberland River, Dale Hollow Dam was begun by the U.S. Army Corps of Engineers in March 1942. The Corps completed the impoundment in June 1943. Since then the dam has saved an estimated \$43 million in flood damage by taming the waters that repeatedly flooded the area in the early 1900's. This early success set a precedent for later Corps projects on the Cumberland River. Additionally, Dale Hollow has produced energy for homes and businesses throughout much of Tennessee and Kentucky.

The contributions of Dale Hollow Lake go far beyond electricity production and flood control. Even before Dale Hollow was providing electricity for the people of the upper Cumberland, water enthusiasts began flocking to the lake. Each of the next 50 years has seen increased numbers of visitors at a rate that attracted 3.6 million to the lake's 27,700 acres last year. The lake and its nearly 620 acres of poplar, cedar, and oak trees offer boating, camping, hiking, fishing, and a complete list of outdoor activities.

Even our Nation's most beloved symbol, the American bald eagle, feels the beauty and serenity of Dale Hollow. Brought there by the Tennessee Wildlife Resources Agency and the Corps of Engineers years ago, the majestic birds have flourished and thrived. Annually thousands of visitors travel to see the eagles, finding 91 in 1992.

Other wildlife also attract visitors. Largemouth bass, smallmouth bass, white bass, and spotted bass swim the waters of the lake and delight the skills of anglers. With the supervision of the Tennessee Wildlife Resources Agency, the lake also includes black crappie, white crappie, bluegill, walleye, catfish, and muskie. Kentucky's largest muskie was caught in Dale Hollow; it weighed 43 pounds. A smallmouth bass—all 11 pounds

and 15 ounces of it—that was caught there stood as a world record for several years. Trout also inhabit the river as a product of the Dale Hollow National Hatchery, the largest producer of trout east of the Mississippi.

These recreational attractions, coupled with the warmth of the people who live near the lake, continue to invite visitors back to the lake. Last year alone \$68.5 million was contributed to the economy by the people who took advantage of Dale Hollow. Innumerable jobs depend on the lake, and innumerable families depend on those jobs. The area is blessed with Dale Hollow's beauty, and Tennessee is blessed with the area's contribution to the economy.

These vital contributions will be celebrated on October 15, 1993, with a ceremony sponsored by the U.S. Army Corps of Engineers at Dale Hollow Dam. I invite my colleagues to join in that celebration and in continued praise for the people involved in the creation of the lake and those who maintain its beauty.

#### TOLEDO AREA PRIVATE INDUSTRY COUNCIL CELEBRATES 10 YEARS OF SERVICE

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Ms. KAPTUR. Mr. Speaker, it is my special pleasure to congratulate the Toledo Area Private Industry Council on 10 years of exemplary service to the citizens of northwest Ohio.

Over the past decade, the dedicated staff and board of the Toledo Area Private Industry Council have delivered quality employment and training services to the citizens of our community. They have assisted 53,700 economically disadvantaged people with training and education; placed over 13,800 people in permanent jobs; provided 14,000 summer jobs for at-risk youth through their Summer Youth Employment and Training Program; and assisted more than 5,900 dislocated workers through job retraining and job placement programs. For the Toledo Area Private Industry Council, linking citizens to work has been a full-time mission.

Northwest Ohio's economy has been transformed over the past 10 years and the Toledo Area Private Industry Council has consistently led the fight to dignify life and work by developing employment opportunities and improving the quality of life for thousands of men and women in our community. We all benefit from their fine work and reputation and are grateful for their dedicated service. I know I join with all the residents of northwest Ohio in congratulating them on 10 years of excellence.

#### INTRODUCTION OF THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1993

#### HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. BOUCHER. Mr. Speaker, I have introduced today the National Science Foundation

[NSF] Authorization Act of 1993. The bill provides funding authority for NSF for fiscal years 1994, 1995 and 1996, at the overall levels recommended by the Clinton administration for each year. The bill provides for substantial strengthening of the Foundation's research programs and addresses the serious deterioration of the research infrastructure. The priorities reflected in the bill will enable the NSF to work toward achieving important national technology goals.

The authorization levels in the bill, as indicated in the accompanying chart, will allow NSF to increase support for individual investigators and ensure that new research opportunities may be pursued which require interdisciplinary research teams. Sufficient growth is provided to allow NSF to participate fully in existing and planned interagency R&D initiatives of national importance, including global climate change research, high performance computing and networking, advanced materials and processing, biotechnology, and advanced manufacturing.

The bill continues the current authorization of \$250 million per year for the Academic Research Facilities Modernization Program, while imposing the requirement that the first \$150 million of funds appropriated to NSF in fiscal year 1995 and the first \$200 million in fiscal year 1996 be provided for the facilities program. Although the 1988 NSF authorization

statute that created the facilities program authorized \$890 million over 5 years, appropriations have reached only \$94 million. The funding floors placed in the bill for the facilities program are in response to this unacceptably slow growth.

The Subcommittee on Science has received testimony over several years on the serious deterioration of academic research facilities, and on the adverse effects this deterioration is having on the ability of universities to perform leading-edge research. The approach taken by the bill will reassert the importance of NSF's merit-based facilities program and fund it at a level that will genuinely begin to address this unmet need.

The bill also recognizes that the scale of the facilities shortfall—estimated at \$10 billion—is too great to be met solely with the resources available to NSF. A provision is included to require the Office of Science and Technology Policy to develop a plan for a multi-agency facilities program to include estimates of funding, by agency, and the time frame necessary in order to relieve substantially the backlog of substandard facilities. The plan must also include the procedures and data collection steps necessary to measure progress in improving the condition of academic research facilities.

Much discussion is now underway concerning a more sharply defined mission for NSF and on the program priorities that should be

pursued. In order to provide Congress with a clear statement of goals, the bill requires NSF to provide an annual report containing a 3-year plan highlighting expected areas of program emphasis, including research initiatives under development, and containing criteria and procedures for assessing progress toward the defined goals. A separate, related requirement in the bill calls for the development and annual updating of a 5-year plan for new construction of NSF national research facilities and upgrades to existing national facilities.

Finally, the bill includes provisions to strengthen NSF's efforts in international scientific cooperation. NSF is given authority: First, to make grants to nongovernmental organizations for debt-for-science exchanges; and second, to facilitate the establishment of binational and multinational endowed science foundations, such as the United States-Mexico binational endowment, and to participate in their operation and governance.

Mr. Speaker, the NSF authorization bill provides the resources and defines priorities which will allow the Foundation to meet its responsibilities to support basic research and education in science and engineering and to strengthen the Nation's research potential. A summary of all the provisions of the bill follows my statement.

#### NSF AUTHORIZATION ACT OF 1993—FISCAL YEAR 1994–96

(In millions of dollars)

NSF program activity	Appropriation fiscal year 1993	Request fiscal year 1994	Percent	Authorization fiscal year 1994	Percent	Authorization fiscal year 1995	Percent	Authorization fiscal year 1996	Percent
Research—Total	1,859.0	2,204.8	18.6	2,009.8	8.1	2,618.9	30.3	2,877.2	9.9
Biological Sci	271.3	311.9	15.0	285.0	5.0	362.0	27.0	389.2	7.5
CISE	215.2	296.0	37.5	261.8	21.7	386.9	48.2	448.0	15.8
Engineering	261.1	323.0	23.7	289.0	10.7	400.0	38.4	456.0	14.0
Geosciences	401.9	448.5	11.6	423.0	5.3	516.0	22.0	549.0	6.5
Math & Phys. Sci	619.9	718.4	15.9	653.0	5.3	826.0	26.5	892.0	8.0
Social, Behav. & Econ	89.5	106.9	19.4	98.0	9.5	128.0	30.6	142.5	11.3
Education	487.5	556.1	14.1	556.1	14.1	556.1	10.4	572.8	3.0
Inst/Facilities	50.0	55.0	10.0	250.0	400.0	250.0	10.4	250.0	13.9
Polar Research Pgms	158.0	163.1	3.2	163.1	3.2	180.0	3.0	205.0	1.5
Antarctic Logistics	63.4	65.1	2.7	65.1	2.7	67.0	1.4	68.0	3.5
Salaries & Expenses	111.0	125.8	13.3	125.8	13.3	127.5	1.5	132.0	50.0
Critical Tech. Inst	NA	1.0	1.0	1.0	1.0	1.0	2.4	4.3	2.4
IG	3.7	4.1	10.8	4.1	10.8	4.2	5.2	5.2	8.0
NSF Relocation		5.2	5.2	5.2	5.2	5.2			
Total	2,733.6	3,180.2	16.3	3,180.2	16.3	3,809.9	19.8	4,116.0	

#### SUMMARY OF THE NSF AUTHORIZATION ACT OF 1993

##### TITLE I. NATIONAL SCIENCE FOUNDATION AUTHORIZATIONS

The authorizations provided for the National Science Foundation (NSF) cover 3 years, FY 1994, FY 1995 and FY 1996; the accompanying chart shows the FY 1993 appropriations levels, the FY 1994 request levels, and the bill authorizations. The bill specifies that \$150 million must be appropriated for the facilities program in FY 1995, and \$200 million for the program in FY 1996, in order for any other funds to be authorized for NSF.

##### TITLE II. GENERAL PROVISIONS

**Annual Report.** The NSF Act of 1950 is amended by transforming the existing NSF annual report to Congress into a 3-year strategic plan to be updated annually.

**National Research Facilities.** The Director is required to prepare and submit annually to Congress a 5-year plan for new construction, repair, and upgrades to national research facilities. The bill prohibits obligation of funds appropriated for national facilities costing in excess of \$50 million unless the funds have been explicitly authorized.

**Eligibility for Research Facility Awards.** The Academic Research Facilities Modernization Act of 1988 is amended to prohibit, after FY 1995, awards to any institution which, beginning with FY 1995, receives an appropriations earmark for facilities construction.

**Eligibility for Participation in Informal Science Education Activities.** All science museums, regardless of location, size of population served, or age of the institution, are designated as eligible to participate in NSF programs for support of informal science education.

**Science and Engineering Equal Opportunities Act Amendments.** Amendments are made to the Science and Engineering Equal Opportunities Act to authorize assistance to members of one or more underrepresented groups, to make explicit NSF's authority to support activities that encourage increased participation in science and engineering of persons with disabilities, to remove an apparent disparity in the authorities provided for women and minority programs, and to update provisions governing the membership and structure of the Committee on Equal Opportunity in Science and Engineering.

##### TITLE III. ACADEMIC RESEARCH FACILITIES MODERNIZATION

**Facilities Modernization Plan.** The Director of the Office of Science and Technology Policy (OSTP) is required to develop a plan for a multi-agency academic facilities modernization program, including funding levels by agency, specification of administrative procedures and guidelines to implement the plan, and data collection requirements to monitor progress in upgrading academic facilities. The plan must be submitted to Congress within 18 months of enactment of the bill.

**Limitation on Obligation of Unauthorized Appropriations.** Obligation of funds by NSF for academic facilities construction is prohibited unless the funds are awarded under the provisions of the Academic Research Facilities Modernization Act of 1988 or are explicitly authorized.

##### TITLE IV. INTERNATIONAL SCIENTIFIC COOPERATION

**Debt-For-Science Exchanges.** The Director is given authority to make grants for debt swaps for support of scientific research and



education activities subject to defined conditions.

*Participation in Binational and Multinational Endowed Science Foundations.* The Director is given authority to facilitate the establishment of Binational and Multinational Endowed Science Foundations, such as the U.S.-Mexico Binational Endowment, and to participate in their operation and governance. The authority is contingent on the characteristics of a foundation meeting stated requirements.

*Report on International Activities.* The Director is required to prepare and submit to Congress within one year of enactment of the bill a strategic plan for all activities involving international scientific cooperation.

#### NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL FUND

#### HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mrs. MORELLA. Mr. Speaker, I am pleased to be given this opportunity to salute the men and women who have served, and continue to serve, this Nation as police officers. Located in Judiciary Square, not far from the Capitol, there is a monument to these officers' dedication and commitment called the National Law Enforcement Officers Memorial.

This memorial was dedicated on October 15, 1991. Its purpose is to show the appreciation that we have for all of our Nation's police officers, especially those who have fallen in the line of duty. This memorial includes a "Pathway of Remembrance," where the names of 13,256 law enforcement officers, who have died protecting the peace, are engraved.

We must all recognize the sacrifice that these officers have made in the service of their country. Prior to the erection of this memorial, there were monuments to the soldiers who have fallen in all of our wars, but not to those who are waging the war against crime on our own soil.

In the State of Maryland, 204 police officers have died in the line of duty, from Officer Charles Gall of the Hagerstown Police Department, who died in October 1866, to Michael Filer, who fell in August 1993 while serving in the Montgomery County Police Department. These are just two of the thousands of names that are engraved on the "Pathway of Remembrance."

As a result of this memorial, we all have a place to pay our respects to the men and women who have fallen while in service to their respective communities as police officers.

#### BILL WAKEMAN—LAFAYETTE CITIZEN OF THE YEAR

#### HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. BAKER of California. Mr. Speaker, I rise today in recognition of Bill Wakeman, the Lafayette Citizen of the Year for 1993.

Bill Wakeman was born and raised in Lafayette, and has served his community actively ever since.

Mr. Wakeman began serving Lafayette through the Boy Scouts of America as a cubmaster, scoutmaster, Dad's Club Committee chairman, and still serves as a merit badge counselor.

Bill and his wife, Bonnie, have been long-time members of the Parent Teachers Association [PTA] and have worked closely with the Lafayette Elementary PTA.

Bill Wakeman has been an active board member and now is serving his third year as president of the Lafayette Historical Society. Bill has led walking tours for grade school students as well as city officials and staff members.

Bill has been active in the Lafayette Improvement Association, serving as treasurer, vice president, and 4 years as its president. Bill Wakeman has been a frequent participant in Lafayette City Council and Traffic Commission meetings, showing his dedication to Lafayette by donating his time and input.

Mr. Bill Wakeman's record of tireless service to Lafayette speaks volumes about his commitment to his community of friends and neighbors. Residents, visitors, and businesses alike owe Bill Wakeman a debt of gratitude for his service to Lafayette.

Mr. Speaker, at this time I ask that my colleagues join me in saluting Mr. Bill Wakeman for his outstanding accomplishments and contributions to Lafayette and Contra Costa County.

#### TRIBUTE TO EDWARD KAHAN— TOWNWIDE FUND OF HUNTING- TON RECIPIENT 1993 CITIZEN OF THE YEAR

#### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to Edward Kahan who is being honored by the board of directors of the Townwide Fund of Huntington, NY, by naming him the 1993 Citizen of the Year.

Since his arrival in Huntington in 1986, Eddy has committed much of his energies to a variety of charitable causes, among them United Way, Cancer Care, United Jewish Appeal, and the Jewish Opportunity Institute, on whose executive board he serves.

Eddy's reputation and positive attitude have made him an integral part of the Prudential Securities' senior management team. His present position as senior vice president and regional director puts him in charge of 26 Prudential branches in the metropolitan area. Most who know Eddy describe him as warm and caring and want to work extra hard for him. Eddy on the other hand encourages his colleagues and his corporation to follow his example in the support and participation in local charitable activities.

Eddy is one of those rare individuals who has attained a perfect balance between his commitment to community, dedication to his profession, and devotion to his family, his wife

Nancy, daughters Jodi and Jill, brothers Gerry and Marvin, and parents Evelyn and Bert.

Mr. Speaker, I ask my colleagues to join me in saluting Edward "Eddy" Kahan for his outstanding and selfless dedication and commitment. And to extend our best wishes and congratulations on being named 1993 Citizen of the Year.

#### TRIBUTE TO PATERSON, NJ, KENNEDY HIGH SCHOOL STUDENTS

#### HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. KLEIN. Mr. Speaker, I rise to pay tribute to a remarkable achievement by the administrators, teachers, and students of John F. Kennedy High School of Paterson, NJ. Their collaborative effort allowed the school district to receive a \$50,000 grant to develop Leadbusters Project, a research program which will help stamp out lead in Paterson.

Jane Silverstein, the project coordinator; Catherine Whitaker, teacher; James Triner, teacher; and students Gisela Adorno, Elias Ahadi, Majim Ahmed, Karen Ancheta, Jennifer Andresen, Peter Ashmeade, Leonor Ayala, Ximena Clavijo, Jose Cotto, Melissa Cruz, Herosiane Da Silva, Carlos Echavarria, Carola Fragosa, Sonia Garcia, Anna Maria Giordano, Victor Gonzalez, Murat Gurses, Laura Haddad, Joselito Huertas, Mohammed Hussain, Radee Jaber, Myeshia Jones, Darnell Joyner, Saidy Lopez, Tahesha Mack, Sheila Maisonet, Tatiana Meza, Silvia Quan, Randy Ruiz, Jessica Sanches, Rosalia Santafiore, Miroslava Tosic, Azim Uddin, Maribell Vargas, and Sonia Velasquez have all worked together to make this program a resounding success.

The Leadbusters Project truly piques and maintains the interest of high school students in science. Students are utilizing research techniques learned through the program to test water and soil for lead pollution. The field of science is no longer viewed from the distance, but embraced with the understanding of its direct influence and impact upon the students' lives. Through active participation students learn to use sophisticated analytical equipment as well as proper laboratory techniques.

The project does not limit the capabilities of its students but attempts to encompass a spectrum of fields in order to interest as many students as possible. The program is being filmed by journalism classes adding the media to the overall program.

I heartily congratulate the administrators, teachers, and students of Kennedy High School on the success of the Leadbusters Project. Ingenuity, guidance, interest, and commitment to education have fueled this revolutionary program. I thank my colleagues for joining me in saluting this exemplary group of people.

## UKRAINIAN FAMINE

## HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. WALSH. Mr. Speaker, throughout their history, the Ukrainian people have known famine, imprisonment, tyranny, and genocide at the hands of others.

In 1933, Joseph Stalin engineered a famine in eastern Ukraine, resulting in the death of 7 million Ukrainian men, women, and children. That millions starved in a nation known as the "bread basket of Europe," is a tragedy history will not forget. But on this, the 60th anniversary of the forced famine, Ukraine is no longer a victim of the Soviet stranglehold.

Today Ukraine is basking in the sunlight of its new independence. Ukrainians have not suffocated under the weight of their nation's tragic past but have built upon that experience the foundation for a bright and prosperous future.

I have known firsthand the warmth and friendship of Ukrainian-Americans. Their desire to live as free people brought many of them to the Syracuse area and to other places throughout America. We share their joy that the blessings of freedom are now being felt by their family and friends still living in Ukraine.

TRIBUTE TO CHICAGO PARK  
DISTRICT EMPLOYEE PAUL VOLTZ

## HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to congratulate Chicago Park District employee Paul Voltz on the special occasion of his retirement.

Mr. Voltz came to the Chicago Park District in January 1962 and has worked in numerous positions. He served as physical instructor for Kosciuszko Park, playground supervisor of Hiawatha Park, park supervisor of Hiawatha Park, activities supervisor, area supervisor, host park supervisor, host park manager and director of host parks. He represents the highest standard of public service. He can truly be considered a friend of the people of the Chicago community and is to be commended on his retirement after 31 years of dedicated service.

Mr. Voltz is a recipient of the Hiawatha Park Youth Program Hubert Founders Award in Recognition of Long and Outstanding Service and the Hiawatha Youth Program Appreciation Award for Outstanding and Dedicated Service.

Mr. Voltz graduated from Lindblom Technical High School in June 1958. He attended Upper Iowa University in Fayette, IA, and Northern Illinois University in DeKalb, IL.

Mr. Voltz is the proud father of Paul, Nancy, Kathy, and David. He is the loving grandfather of Lauren and Jack.

Mr. Speaker, I am pleased to commend Mr. Voltz for his tremendous contributions to our community. I hope my colleagues will join me in saluting him for his many years of commit-

ment and wishing him the best in the years to come.

TRIBUTE BY REPRESENTATIVE  
ACKERMAN IN HONOR OF LEE  
SUSSWEIN'S 70TH BIRTHDAY

## HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to express my praise for Lee Susswein, on her 70th birthday celebration.

Lee is the daughter of a Russian emigrant, who fought in World War I in the United States armed services. She graduated from the University of Wisconsin, Madison, and went on to be a lieutenant for the U.S. Navy during World War II. She was one of the earliest group of patriotic and pioneering women who served in uniform.

After the war, Lee married Arthur Susswein in 1946. As a result of the marriage, Lee was discharged from the Armed Forces under the rules of the day.

While Arthur attended law school, she went to work as a vocational guidance counselor at the YMCA to assist returning veterans and she also sponsored the Tuberculosis Association helping TB patients, in Queens.

Through the years Lee Susswein continued to be involved with community. She was active at her family's synagogue, Temple Bethel, and she was both a member of the social action committee and was vice president of sisterhood. She was also an active member of the PTA.

In 1969, she began a 20-year career with the New York State Office of Vocational Rehabilitation. In 1983, the Long Island Rehabilitation Counselors Association honored her for her outstanding contribution to the field of rehabilitation and dedication to the mentally ill. Although Lee retired in 1987, she has still remained intimately involved in her community and her volunteer work.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join me in wishing Lee Susswein a happy 70th birthday, and to congratulate her for many years of selfless dedication and aid to the community.

## TRIBUTE TO ANGELO BERTELLI

## HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. KLEIN. Mr. Speaker, I rise to pay tribute to a man of rare athletic prowess and achievement, Angelo Bertelli. Mr. Bertelli is the first of Notre Dame's seven Heisman trophy winners as well as a dedicated American veteran.

Angelo Bertelli is living proof that extraordinary talent perfectly matched with character can exist. Although Mr. Bertelli is being recognized for his successful football career, he was also pursued for his hockey and baseball skills by the Boston Bruins and several big-league baseball teams. However, his dream of

playing football at Notre Dame prevailed and carried him into the Heisman voters sights.

As a quarterback, Mr. Bertelli, led the Notre Dame team into victory by winning their first six games by an average of more than 38 points a game. His athletic prowess even impressed famed sportswriter Grantland Rice who compared Notre Dame's 1943 team with the Four Horsemen team of 1924. Rice wrote:

It is my belief that Notre Dame's 1943 team, with Bertelli in action, could have beaten the 1924 team by two or three touchdowns and wrecked the Four Horsemen through a surplus of power, deception, and passing.

The sheer talent of the quarterback dazzled the Heisman voters so that the trophy was easily won based only on the six games he played in 1943 with 471 votes distancing himself and the runner-up.

Mr. Bertelli was unable to finish the season due to his concern for the safety of our country. Fulfilling his duty, he served in the Marines during world War II. "I was disappointed," he said, "but, remember, the Nation was at war. We had a lot of patriotic spirit. The loves of my life always had been Notre Dame, the Yankees, and the Marines. I got 'em all but the Yankees." While serving in the war he distinguished himself on Iwo Jima and Guam.

I wish Mr. Bertelli the very best on the 50th year anniversary of his Heisman Trophy. He is an outstanding Clifton resident and fine neighbor. His strong sense of duty married with his amazing athletic talent have inspired others and will continue to do so. I thank my colleagues for joining me in saluting Angelo Bertelli.

COMMENDING PLANNED  
PARENTHOOD LOS ANGELES

## HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Ms. HARMAN. Mr. Speaker, I rise today to commend Planned Parenthood Los Angeles. Since its establishment in 1965, this organization has shown extraordinary leadership in the vital effort to provide high-quality, low-cost reproductive health care services. In addition, the educational programs of Planned Parenthood are one of the most effective tools in the prevention of unintended teen pregnancy. Quite simply, they teach young people responsible decisionmaking about sexuality.

Just yesterday, October 11, 1993, Planned Parenthood Los Angeles opened an additional health care clinic in the Lawndale Medical Plaza in Lawndale, CA. This clinic will resolve the need for greater access to reproductive health care for the residents of the south bay area of Los Angeles County. Through this clinic, these dedicated people will provide essential services and education to women, men, and teens in Torrance, Lawndale, Redondo Beach, Manhattan Beach, Hermosa Beach, Inglewood, Carson, El Segundo, Gardena, Hawthorne, Palos Verdes Estates, Rancho Palos Verdes, Rolling Hills, Rolling Hills Estates, Lomita, San Pedro, Compton, and near-by portions of Los Angeles.



The clinic will offer a wide range of reproductive health services including premarital blood testing, prenatal care, all forms of contraception, pregnancy testing and counseling, adoption referrals, breast and cervical cancer screening, and detection and treatment of sexually transmitted diseases. These services are critical for women and teens, and I welcome the facility to my district.

In closing, I would like to congratulate Deidre Mackey, South Bay Center manager, Candace Lee, director of clinical programs, and the entire staff of Planned Parenthood Los Angeles. I would also like to extend my congratulations and thanks to the officers and members of Planned Parenthood Los Angeles Board of Directors, including board president B. Boyd Hight, executive director Suellen B. Wood, and medical director Gerald S. Bernstein, M.D.

#### TRIBUTE TO THE MOUNT OLIVET BAPTIST CHURCH ON ITS 100TH ANNIVERSARY

**HON. HAMILTON FISH, JR.**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. FISH. Mr. Speaker, I rise today to congratulate and pay tribute to the Mount Olivet Baptist Church in Peekskill, NY, as its parishioners celebrate the church's 100th anniversary. The Mount Olivet Church serves the community far beyond its many religious activities. The congregation reaches out to help others through a tutoring program, a food distribution program, a senior day care program, a youth group, and even a scholarship committee.

Throughout my years as Peekskill's Representative in Congress, Mount Olivet has proven itself time and time again a guiding force to the entire Peekskill area. The man who leads the congregation is the Reverend Dr. Franklin Wiggins, whom I am proud to call a friend. He has served as Mount Olivet's pastor since June 1960. An accomplished man, Reverend Wiggins holds a doctorate of administration from Virginia College and Seminary, and an honorary doctorate of divinity from Shaw Divinity School. He has served in the areas of human rights, educational therapy, community action and renewal, ecumenical religious activities, and minority involvement, and entrepreneurial development.

I join the congregation in celebrating Mount Olivet's 100th anniversary, and commend Rev. Dr. Franklin Wiggins for his personal dedication and devotion to serving his congregation and community, and his many, many successes achieved throughout his service at the Mount Olivet Baptist Church.

#### FIFTIETH ANNIVERSARY OF THE 854TH ENGINEER BATTALION

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. GILMAN. Mr. Speaker, the 854th Engineer Battalion of the Department of the Army is celebrating its 50th anniversary.

In our Hudson Valley region of New York State, the 854th provides community civil engineering support over an area which extends 120 miles on both side of the majestic Hudson River. The 854th has units in Bullville, NY, and Tappan, NY, both within my 20th Congressional District. Additional units are located in New Windsor, just outside my congressional district, as well as in Kingston and Poughkeepsie.

In 1943, the battalion began its distinguished history through the service and sacrifice of its members in the Pacific theater of World War II. In the 50 ensuing years, this country has experienced numerous conflicts, the long twilight struggle against communism, and the adulation of the end of the cold war. Through it all, and continuing during today's unsettled world, the men and women of the 854th Engineer Battalion have stood ready to answer its country's call should the need arise.

The golden anniversary of the 854th Engineer Battalion will be celebrated at the battalion's annual dinner dance on November 13. This festive occasion, at the Stewart Airport Officer's Club in Newburgh, NY, will be one of many memories as well as promises for the future.

Mr. Speaker, I request that this brief history of the battalion—submitted to me by H. Robert Webb, Lt. Col., U.S. Army Reserve, the current commanding officer of the 854th—be inserted into the CONGRESSIONAL RECORD at this point, and I invite my colleagues to join in saluting this courageous battalion whose 50 years of service have been above and beyond the call of duty.

#### A HISTORY OF THE 854TH ENGINEER BATTALION

The 854th Engineer Battalion<sup>1</sup> was organized as an active duty unit of the US Army during World War II. Its decorated history began half a century ago at March Field, California, when on 1 January 1943 it was activated as the 854th Engineer Aviation Battalion. The unit was organized under the command of Major Herbert Brown with the mission to build runways in support of what was expected to be a long and arduous air and sea war against Japan. Eleven months after being activated the Battalion departed from San Francisco, arrived in Hawaii on 11 December 1943, and continued its training before deployment in the Pacific Theater.

In early 1944, the Battalion realized its military purpose when it deployed to the Marshall Islands. Within two weeks the Battalion built 500 feet of runway using the coral deposits found around the island. Within a month, heavy bomber squadrons were

operating from Kwajalein. By then the Battalion had prepared over 76 acres of runway. The 854th continued work on the airfield, extending the runway constructing taxiways, a control tower, and various buildings for the base at Kwajalein before returning to Hawaii in October 1944.

Before October had passed the 854th re-deployed to the island of Guam in the Marianas. After helping Navy Seabees build a B-29 repair depot at Depot Field, the engineer unit began clearing jungle for constructing the massive North Field on the island's northern plateau. Working around the clock, they first built the 10,500 foot south runway for use by the B-29 Super Fortresses. This runway was used for raids on Tokyo and other targets in Japan. By the end of April 1945, the Battalion had completed the 8,500 foot north runway. These two runways today make up the island's Anderson Air Force Base. In June 1945, the 854th arrived on Okinawa, where it completed Futema Airfield and built a 6000-man POW camp and a 500-bed Army hospital.

For its efforts during World War II, the 854th was credited for participation in the Eastern Mandates, Western Pacific, and Ryukyus Campaigns. The Battalion's service was so important to the war effort in the Pacific that the unit was dubbed the "Spearheader Outfit" and awarded the Meritorious Unit Commendation. Despite its commendable performance during the war, the 854th Engineer Aviation Battalion was inactivated on 15 March 1946. The veterans of the Pacific campaign perpetuate their pride in their accomplishments through participation in the 854th Spearheader's Association.

The 854th Engineer Aviation Battalion was reorganized as a reserve unit on 4 March 1949 when it was reactivated as part of the Organized Reserve Corps with Headquarters in Brooklyn, New York. Two years later the Battalion was established in the New York Hudson Valley area when its Headquarters moved to Poughkeepsie, New York. In 1954 the unit underwent the first of many reorganizations. The Battalion was converted to "Maintenance" status, and subunits were established with B Company in Newburgh, C Company in Poughkeepsie, and the 15 members of A Company meeting at the Sheriff's office in Monticello. In October 1955, the 854th was reorganized to Reduced Strength, which mattered little since the companies averaged only 50 men. In 1957 the 854th was redesignated as a Heavy & Construction unit and then returned to full strength in mid 1959. Headquarters was moved to Kingston, NY, using an old Miron Lumber Company building on Route 9-W.

During the Berlin Crisis of 1964-67 the 854th and 969th Engineer Battalions were called to Fort Drum as part of the 411th Engineer Brigade. Eventually, the 969th Engineer Battalion was chosen to be activated for a full year at Fort Bragg, North Carolina, and the 854th stood down and returned home. The confrontation soon ended, but the successful mobilization caused the Reserves' integration into national war plans.

Throughout the 1960s and 70s, the 854th experienced many changes and improvements. Dietz US Army Reserve Center, named after a World War II Congressional Medal of Honor recipient, was constructed in Kingston, and the Battalion's Headquarters occupied it until moving to the Stewart Army Subpost in 1986. A fourth company, D Company, was formed in Kingston and took up residence in the new facilities as well. A Company was moved to a previously secret signal communications center in the rural community of

<sup>1</sup> Special thanks to the researcher and original author of the Battalion's history, Chris Kreider. Also thanks to Messrs. Dick Green, Dick Gerken, the 854th Spearheaders Association, and the members of the 854th Engineer Battalion who provided information for this brief history.

Bullville, New York. The Battalion was redesignated in 1963 from Construction & Heavy to simply Construction and was reorganized in 1966 to new manpower and equipment levels. In 1967-68, under new designation as Selected Reserve Forces, the units were driven to be ready for deployment and gathered for 96 4-hour drills per year. By 1969 the Battalion frequently conducted engineer projects at scout camps around the Hudson Valley during drill periods and completed numerous projects during Annual Trainings held at Fort Drum.

The development of the Total Force concept in the 1980s, which heavily relied upon the Reserve Components, resulted in further improvements in equipment and training opportunities for the 854th. The Battalion participated in highly successful support and construction missions such as a rotation at the National Training Center in California, large scale exercises and training evaluations at Fort Pickett, Virginia and Fort Drum, intensive individual training in the Netherlands, and most recently, engineer projects at Forts Clayton and Davis, Panama Canal Zone. Back home, the Battalion continued to provide community civil engineering support over an area that extends 120 miles on both sides of the Hudson River, with units in Bullville, Kingston, New Windsor, Poughkeepsie, and Tappan. The culmination of the improved training and readiness of the unit was its preparation and participation in Operations Desert Shield and Desert Storm. Although the unit was not activated, over 60 members were called to active duty and served in the Persian Gulf conflict. Many served in Saudi Arabia with the 411th Engineer Brigade.

After 50 years of distinguished service, in time of war and peace, the 854th Engineer Battalion, with over 700 officers, NCOs, and soldiers, continues to serve with pride. The unit is dedicated to training for the protection of the nation, while providing BEYOND MEASURE service to our community and neighbors.

COMMANDERS OF THE 854TH ENGINEER  
BATTALION (C)(H) U.S. ARMY RESERVE

LTC Charles Kennedy.  
MAJ Thomas Flynn.  
LTC Carl Hedman (1957).  
MAJ Peter Sowa.  
MAJ Bronislaw Huidora (1968).  
MAJ Joseph Paes (1974).  
MAJ Willet (1977).  
LTC Donald Frazier (1977-1979).  
LTC William Mercurio (1979-1982).  
LTC Anthony Kropp (1982-1985).  
LTC Alfred Rossi (1986-1989).  
LTC Bruce Quinn (1989-1992).  
LTC H. Robert Webb (1992-19).

TRIBUTE TO ALLEN COWETT,  
EAGLE SCOUT

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Allen Cowett of Troop 28, Providence and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout

Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. These young men have distinguished themselves in accordance with these criteria.

For his Eagle Scout project, Allen did extensive restoration work for the Jewish Home for the Aged in Providence. Allen made repairs to different parts of the building, such as patching woodwork, painting, and various other minor structural changes.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Allen Cowett. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Allen Cowett will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

THE COMMON GOOD

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 12, 1993

Mr. MICHEL. Mr. Speaker, on Sunday, October 3, 1992, Joseph Cardinal Bernardin of Chicago delivered the homily for the Red Mass, celebrated on the Sunday prior to the first Monday in October, which traditionally marks the opening of the Supreme Court's new term. Cardinal Bernardin's topic, "Promoting the Common Good Through the Practice of Virtues," deals with the relationship between private virtues and the public good, a topic which, in my view, usually does not get the kind of serious attention it deserves in public policy debates. I commend the cardinal's views to all our colleagues.

At this time I wish to insert in the RECORD the text of the homily, "Promoting the Common Good Through the Practice of Virtues," by Joseph Cardinal Bernardin:

PROMOTING THE COMMON GOOD THROUGH THE  
PRACTICE OF VIRTUES

(By Joseph Cardinal Bernardin)

My dear brothers and sisters in the Lord:  
I am grateful to Cardinal Hickey for the invitation to be the homilist for this year's Red Mass, sponsored by the John Carroll Society. This Mass on the Sunday prior to the first Monday in October, which traditionally marks the opening of the Supreme Court's new term, is an appropriate occasion for us

to gather in prayer. We ask God's guidance and wisdom for the President, the Supreme Court, the Congress, the Judiciary, the Diplomatic Corps, and all who serve our nation.

The scriptural readings we have just heard give us the image of a vineyard. As described by the prophet Isaiah, this vineyard was very valuable property which symbolized the wealth of the land. However, his parable suggests that this wealth had not produced a just society. The threat that the vineyard would be turned into a ruin was fulfilled quite literally after the Assyrian invasions during the eighth century B.C.<sup>1</sup>

Isaiah used the song of the vineyard to establish why judgment was appropriate for God's people, and to show that their

The Gospel of St. Matthew continues Isaiah's image of the vineyard. The interpretation of this gospel parable is made clear to us by its connection to Isaiah's song of the vineyard: God is the owner of the vineyard; the vineyard is the community; the vineyarders are the religious and political leaders who have been entrusted with the care of the community; the servants who were sent to the vineyard were the prophets, but they all met the same bad fate. The son is Jesus Christ. The owner expects that at least his son (Jesus) will be received with respect. In fact, he receives even worse treatment, to the point of being killed. His murder is the rejection of the gospel message by the vineyarders, the leaders.<sup>2</sup>

The threat that the vineyard would be taken away and given over to others, who live in accord with the dictates of justice, is a cogent reminder for us who exercise leadership positions in our religious and political communities. If we do not act as responsible stewards and servants of the communities in our care, our leadership will be taken away and given to those who will act responsibly and in accord with the demands of justice. (Those of you who face the prospect of a reelection campaign know all too well the reality of that challenge!)

As we look out across the nation, the vineyard in our care, we see a valuable community of people with a wealth of talents and resources. But it is threatened with destruction and ruin by the forces of violence and narrow self-interest. Perhaps now as never before, people in many of the communities of our nation live in fear of crime. Perhaps now as never before, human life cries out for dignity and respect at every stage and in all circumstances—from conception to natural death. Perhaps now as never before, our failings as individual citizens threaten the common good of the vineyard in our care, the vineyard of our nation.

May I suggest a way to address this threat, a way which will entail no new government programs, no new laws, and best of all, no new expenditures of funds! That is because the means I suggest are not political, legal, or financial, but *spiritual*. My suggestion is that, as a nation, we embark on a concerted effort to promote the common good through the practice of virtues. Although not requiring any new government programs, new laws, or new expenditures of funds, the promotion of the common good in this way *does* call for a change of focus, a change of emphasis, a change of direction, a change of attitudes, and, most of all, a change of heart.

When considering the common good, it is far too easy to fall into the trap of seeing the common good as somehow opposed to individual rights and freedoms. This is a false dichotomy since individual concerns are inherently contained in any consideration of the

Footnotes at end of article.



common good. The common good is not concerned with the good of *not* respected. On the other hand, the individual is harmed when narrow self-interests and the pursuit of purely private gain are pursued without reference to the needs and interests of the community as a whole.

As described by the Second Vatican Council in the *Pastoral Constitution on the Church in the Modern World*, "The common good \* \* \* is the sum total of all conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily."<sup>4</sup> Thus, there is a dynamic relationship between the individual and the rest of society in promoting the common good. This relationship is reflected in the law of the Catholic Church, which says that "in exercising their rights, individuals and social groups are bound by the moral law to have regard for the rights of others, their own duties to others and the common good."<sup>5</sup>

While the United States Constitution has no similar provision, the common good *does* have a special place in our nation's understanding of its laws and system of justice. The Constitutional Convention of 1787 voted unanimously against adding a Bill of Rights to the Constitution, considering it unnecessary. It was not that the delegates were against such rights; they simply considered the matter already covered inherently in the Constitution and its parameters for the governance of the nation.<sup>6</sup> As Alexander Hamilton said, an enumeration of rights "would sound much better in a treatise of ethics than in a constitution of government."<sup>7</sup>

As we all know, proponents for a specific listing of protected rights, led by Thomas Jefferson, prevailed within two years of the Constitution's ratification and amended the document to include the first ten amendments as the Bill of Rights. This listing has made us keenly aware of the individual rights which we enjoy in this country. May I suggest that, even though not mentioned specifically in the Constitution, the common good is a fundamental principle which serves as a basic pillar of our nation's understanding of its laws as system of justice.

Just as respect for individual rights is inherent in promoting the common good, so also, when individuals conduct their lives in accord with the virtues, the common good is promoted. Perhaps this is more easily seen by considering the opposite. When individuals fail to live their lives virtuously, that is, when their conduct is marked by a life of sin and vice, then society as a whole, and thus the common good, is harmed.

Let me give you an example. Some time ago, a philosophy professor wrote an article criticizing the way ethics is taught in U.S. higher education. She charged that social policy questions were being overemphasized with little or no attention being paid to private morality. A colleague of hers objected to the article and alleged that "You are not going to have moral people until you have moral institutions." Promoting "bourgeois virtues" instead of awakening the social conscience of students was a waste of time, she said. This colleague changed her mind, however, when she discovered that more than half of her students had cheated on a social justice final exam!<sup>8</sup> In other words, it is a question of both personal morality and social justice. One without the other will not work.

Although it may be impossible to provide a list of virtues upon which everyone would agree, the ethics of virtue has certain common features which primarily involve a

focus on individual character: Actions are important because they show a person's values and commitments. It is a person's good character that produces practical moral decisions "based on beliefs, experience, and sensitivity, more than on rules and principles."<sup>9</sup>

The new "Catechism of the Catholic Church," reflecting our Catholic tradition, defines virtue as "a habitual and firm disposition to do good. It permits a person not only to do good deeds, but also to give the best of himself or herself."<sup>10</sup> We distinguish virtues as being human and theological.

Human virtues are attitudes, dispositions, and understandings by which we regulate our actions, control our passions, and guide our conduct in accord with reason and faith.<sup>11</sup> Four virtues are called cardinal, not because they apply only to Cardinals (!), but because, coming from the Latin word, *cardo*, which means "hinge," all other virtues depend on these: prudence, justice, fortitude, and temperance.

Prudence is the virtue which disposes practical reason to discern in every circumstance our true well-being and to choose the correct means to achieve it. St. Thomas Aquinas, following Aristotle, described prudence as the "right rule of action."<sup>12</sup> It is prudence which directly guides the judgments of conscience.<sup>13</sup>

Justice is the moral virtue which consists in the constant and firm willingness to give to God and neighbor that which is due. Justice disposes one to respect the rights of all and to establish in human relations that harmony which promotes the common good and fairness respecting all persons.<sup>14</sup>

Fortitude is the moral virtue which secures strength and constancy in the search for well-being when faced with difficulties. The virtue of fortitude is able to conquer fear, even fear of death, so that a person is willing to sacrifice his or her own life in order to defend a just cause.<sup>15</sup>

Temperance is the virtue which moderates the attraction of pleasures and provides a balance in the use of created things. Through temperance, persons are able to exercise control over the instincts and appetites of the senses and maintain their desires within appropriate limits.<sup>16</sup>

The human virtues are rooted in the theological virtues of faith, hope, and love. They are called theological virtues because their reference point is God himself, leading human beings to a participation in God's divine nature.<sup>17</sup>

Faith is the theological virtue by which we believe in God and all that he has said and revealed, and which the Church proposes, because God is the essence of Truth.<sup>18</sup>

Hope is the theological virtue by which we aspire to the kingdom of heaven and to the happiness of eternal life, placing our confidence in the promises of Christ and in the assistance of the grace of the Holy Spirit rather than in our powers and abilities.<sup>19</sup>

Charity or love is the theological virtue by which we love God above all else and our neighbor as ourselves.<sup>20</sup> Loving one another, the disciples imitated the love of Jesus.<sup>21</sup> For this reason, Jesus said: "As the Father has loved me, so I have loved you; live on in my love" (John 15:12).

Charity is greater than all the other virtues.<sup>22</sup> The exercise of all the virtues is animated and inspired by charity.<sup>23</sup> As St. Paul wrote, "There are in the end three things that last: faith, hope, and love, and the greatest of these is love" (1 Cor. 13:13).

Although I am speaking to you as a pastor in the context of a Catholic celebration of

the Eucharist, my message of promoting the common good through the practice of virtue is by no means limited only to Catholics. Indeed, we have the example of none other than St. Paul, who relied on the ethical teaching of the Stoics and not on any uniquely Christian doctrine when he wrote the words we heard in today's second reading from his Letter to the Philippians: "Your thoughts should be wholly directed to all that is true, all that deserves respect, all that is honest, pure, admirable, decent, virtuous, or worth of praise. Live accordingly to what you have learned and accepted, what you have heard me say and seen me do. Then will the peace of God be with you" (Phil. 4:8-9).

Just as St. Paul did not assert that there was anything distinctively Christian about this exhortation, neither do I contend that my call for promoting the common good through the practice of virtues is uniquely Catholic or even Christian. Nor is there really anything novel about the concepts of the common good and the virtues. However, we should not necessarily expect this message to have great popular appeal. As Mark Twain said, "Virtue has never been as respectable as money."<sup>24</sup> Nevertheless, I believe that this message has great timeliness and necessity for us at this point in our history.

This timeliness and necessity were recognized recently by three organizations representing some 100 million American Christians and Jews. A joint statement issued a few months ago by the United States Catholic Conference, the National Council of Churches, and the Synagogue Council of America said: "The common good is an old idea with a new urgency. It is an imperative to put the welfare of the whole ahead of our own narrow interests. It is an imperative which we fervently hope will guide our people and leaders at this new moment. It is an imperative for a national embrace of responsibility and sacrifice, of compassion and caring as building blocks for meaningful lives and for a health society. We believe we can and must do better."<sup>25</sup>

I, too, believe that we can and must do better, and I echo the call of our nation's religious leaders that our "faith communities must continue to strengthen our ongoing efforts to engage our constituencies in study, dialogue and action in pursuit of the common good. Let then the leaders of our nation pursue this call and pursue its direction with urgency and creativity."<sup>26</sup>

May God who has begun a good work in you bring it to fulfillment.

#### FOOTNOTES

<sup>1</sup> John J. Collins, "Isaiah" in *The Collegeville Biblical Commentary* (Collegeville, Minnesota: The Liturgical Press, 1989), p. 419.

<sup>2</sup> R.E. Clements, *Isaiah 1-39*, New Century Bible (Grand Rapids: Wm. B. Eerdmans, 1980), p. 57.

<sup>3</sup> Cf. Daniel J. Harrington, *The Gospel of Matthew*, Sacra Pagina (Collegeville, Minnesota: The Liturgical Press, 1991), pp. 301-305.

<sup>4</sup> Vatican Council II, *Pastoral Constitution on the Church in the Modern World*, *Gaudium et Spes*, 26.

<sup>5</sup> Vatican Council II, *Declaration on Religious Liberty*, *Dignitatis Humanae*, 7; see also canon 223 of the Revised Code of Canon Law (1983).

<sup>6</sup> Catherine Drinker Bowen, *Miracle at Philadelphia: The Story of the Constitution Convention—May to September 1787* (Boston: Little, Brown & Co., 1966), pp. 245-247.

<sup>7</sup> Alexander Hamilton, James Madison and John Jay (Publius, pseud.), *The Federalist Papers: A Collection of Essays Written in Support of the Constitution of the United States*, ed. Roy P. Fairfield (1788; reprint, Baltimore: The Johns Hopkins University Press, 1981), no. 84, p. 262.

<sup>8</sup> Christina Hoff Sommers, "Teaching the Virtues: A blueprint for moral education," *Chicago Tribune Magazine*, September 12, 1993, p. 14.

- <sup>9</sup>William C. Spohn, S.J., "The Return of Virtue Ethics," *Theological Studies*, 53 (March, 1992), p. 61.
- <sup>10</sup>*Catechisme de l'Eglise Catholique*, unofficial translation (Paris: Mame-Librairie Editrice Vaticane, 1992), p. 381, Art. 7, par. 1803.
- <sup>11</sup>*Ibid.*, par. 1804.
- <sup>12</sup>*S.Th.* 2-2, 47, 2.
- <sup>13</sup>*Catechisme*, par. 1806.
- <sup>14</sup>*Ibid.*, par. 1807.
- <sup>15</sup>*Ibid.*, par. 1808.
- <sup>16</sup>*Ibid.*, par. 1809.
- <sup>17</sup>*Ibid.*, par. 1812.
- <sup>18</sup>*Ibid.*, par. 1814.
- <sup>19</sup>*Ibid.*, par. 1817.
- <sup>20</sup>*Ibid.*, par. 1822.
- <sup>21</sup>*Ibid.*, par. 1823.
- <sup>22</sup>*Ibid.*, par. 1826.
- <sup>23</sup>*Ibid.*, par. 1827.
- <sup>24</sup>Quoted in Charles E. Bouchard, O.P., "Make Virtue Your Habit," *The Catholic Digest* (March, 1993), p. 110.
- <sup>25</sup>"The Common Good: Old Idea, New Urgency," *Origins* 23 (June 24, 1993), p. 83.
- <sup>26</sup>*Ibid.*, p. 85.

**TRIBUTE TO JOHN W.B. HADLEY—  
RECIPIENT OF THE KATHERINE  
HADLEY HUMANITARIAN AWARD**

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to John W.B. Hadley who is being honored by the board of directors of the Townwide Fund of Huntington, NY, as a recipient of the Katherine Hadley Humanitarian Award.

Founded in 1961 as the Huntington United Fund by a small group of private citizens, the Townwide Fund of Huntington has raised over \$7,000,000, which has been distributed to member agencies, all of which provide vital human and health services to the Huntington community.

The fund depends on a volunteer board and the generosity of the residents of Huntington for support of its fundraising efforts.

Each year, a quota and admissions committee meets with member agencies to review programs and plans to assure our donors that the money contributed to the fund is returned to the community in the form of services.

John W.B. Hadley is well known for the many community causes he supports. His tireless efforts and important gift for the expan-

sion of the Heckscher Museum was an inspiration to others in their efforts for this project to become a reality. John's involvement with the Cold Spring Harbor Laboratory, the Nature Conservancy, and together with his wife Robin, Planned Parenthood of Suffolk County, the Whaling Museum Society, the Huntington Choral Society and the Townwide Fund further exemplifies his strong commitment to the community. The fund salutes John W.B. Hadley with the Katherine Hadley Humanitarian Award for his extraordinary efforts in making Huntington, NY a better place to live and work.

The Katherine Hadley Humanitarian Award is named after the late Katherine Hadley, whose generous bequest to the Townwide Fund, a decade ago, has allowed the Fund to grow and prosper. The awards committee is very pleased that Mrs. Hadley's son John has been chosen as the inaugural recipient of this award.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in congratulating John W. Hadley for receiving the Katherine Hadley Humanitarian Award, and let us commend them for their years of selfless dedication to the community.

**TO HONOR AN ESTEEMED AND  
ACCOMPLISHED MAN**

**HON. LYNN SCHENK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 12, 1993*

Ms. SCHENK. Mr. Speaker, today I rise to pay tribute to a constituent and a friend on his 60th birthday, Dr. Irwin M. Jacobs.

It is my personal privilege to recognize Dr. Jacobs for his wonderful contributions to the San Diego business community and the greater San Diego community.

Dr. Jacobs received a bachelors of science degree in electrical engineering in 1956 from Cornell University and the masters in science and doctor of science degrees in electrical engineering from the Massachusetts Institute of Technology in 1957 and 1959, respectively.

He is an outstanding and remarkable man who is the founder and chairman and CEO of Qualcomm, Inc., located in my district in San

Diego. Started in 1985, Dr. Jacobs has led Qualcomm through a period of rapid growth to over 1000 employees and international activities in mobile satellite communications and digital wireless telephony.

Previously he was the co-founder, president, CEO and chairman of Linkabit Corp., guiding the company from fledgling status with a few part-time employees to a national company with over 1,400 employees in several cities nationwide.

He has been an academician, holding professorial posts at MIT and University of California, San Diego, and continues to hold prestigious ties to the academic community.

Dr. Jacobs and his wife, Joan have also contributed greatly to the San Diego community as generous benefactors of the arts, Jewish groups and organizations, as well as the scientific community and other causes. Dr. Jacobs serves on the boards of the San Diego Symphony Orchestra, UCSD Green Foundation for Earth Sciences, MIT Enterprise Forum, Jewish Community Center of San Diego and in an advisory capacity to the San Diego Repertory Theatre.

Dr. Jacobs and his wife do not participate in these activities and contribute to these causes for their own personal aggrandizement, but do so because they genuinely believe in the values and the good work done by the groups and organizations.

The Jacobs' seek no return on their contributions other than the continued success of these organizations and their programs for all of San Diego to learn from and enjoy. They view these contributions as an ongoing investment in the community which they love.

On a more personal level, for all of his power in the business world and his contributions to the community, Dr. Jacobs is a modest and decent man. All that he accomplishes is done in an unassuming manner. He is truly one of the most special men I have had the privilege to know.

I am so honored that I have the personal privilege to recognize Dr. Jacobs on this special occasion. I am honored to have him as one of my constituents and pleased to call him my friend. I wish the entire country could wish Dr. Irwin Mark Jacobs, a wonderfully happy 60th birthday.